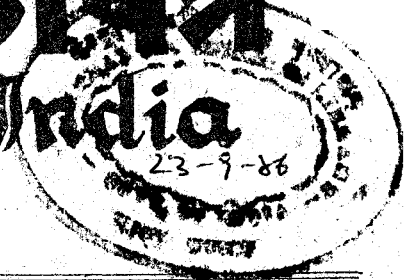


7/6



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
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सं० 14]
No. 14]

नई दिल्ली, शनिवार, अप्रैल 5, 1986/चैत्र 15, 1907
NEW DELHI, SATURDAY, APRIL 5, 1986/CHAITRA 15, 1908

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Faging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
statutory orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 18 मार्च, 1986

का. आ. 1347 :—केन्द्रीय सरकार, आयुध अधिनियम, 1959 (1959 का 54) के धारा 41 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह राय होने पर कि, लोक-हित में ऐसा करना समीचीन है, फेल्ड मार्शल एस. एच. एफ. जे. मानिकशा को, निम्नलिखित वर्णन के अग्नि-शस्त्रों की बाबत, उक्त अधिनियम के धारा 3 की उप-धारा (2) के प्रवर्तन से छूट देता है :—

1. 38 पिस्टल यू. एस. ए. सं. 7829
2. 7.65 कैल पिस्टल एम. एम. सं. 48383
3. .32" कोल्ट ग्राटों (यू. एस. ए) सं. 571354
4. .30 यू. एस. कैल कार्बाइन सं. 1108177
विनचेस्टर
5. स्प्रिंग फेल्ड राइफल सं. 40686 एन पी. बी.
8x57 जे. एस.
6. 22 राइफल सं. 94208।

[सं. 5-11013/4/85 आर्म्स]
ए. के. शर्मा, निदेशक

MINISTRY OF HOME AFFAIRS

New Delhi, the 18th March, 1986

S.O. 1347.—In exercise of the powers conferred by section 41 of the Arms Act, 1959 (54 of 1959), the Central Government, being of opinion that it is expedient in the public interest so to do, hereby exempts Field Marshal SHFI Manekshaw from the operation of sub-section (2) of section 3 of the said Act in respect of firearms of the following description :—

1. .38 pistol, USA No. 7829.
2. 7.65 Cal. Pistol MM No. 48383.
3. .32 Colt Auto (USA) No. 571354.
4. .30" US Cal Carbine No. 1108177 Winchester.
5. Spring Field Rifle No. 4068 NPB 8x57 JS.
6. .22 Rifle No. 94208.

[No. V-11013/4/85-ARMS]
A. K. SHARMA, Director.

कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 18 मार्च, 1986

का. आ. 1348—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री डी.

सत्यानारायण, अधिवक्ता, हैदराबाद, को, आंध्र प्रदेश उच्च न्यायालय, हैदराबाद, में श्री प्रहलाद सिंह, भूतपूर्व पुलिस उप महासिरोधक, आंध्र प्रदेश, के विरुद्ध दिल्ली विशेष पुलिस स्थापना नियमित मामला सं. 9/67-सी आई ए-II में अभियोजन का संचालन करने के लिए विशेष लोक अभियोजन नियुक्त करते हैं।

[सं. 225 /10/86-एवीडी-II]

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

(Department of Personnel & Training)

New Delhi, the 18th March, 1986

S.O. 1348.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri D. Satyanarayan, Advocate, Hyderabad, as a Special Public Prosecutor for conducting the prosecution of Delhi Special Police Establishment Regular Case No. 9/67-CIA-(II) against Shri Prahlad Singh, former Deputy Inspector General of Police, Andhra Pradesh, in the High Court of Andhra Pradesh, Hyderabad.

[No. 225/10/86-AVD.II]

आदेश

नई दिल्ली, 20 मार्च, 1986

का.आ. 1349:—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राजस्थान सरकार की सहमति से, यान-हरण निवारण अधिनियम, 1982 (1982 का 65) की धारा 4 और 5 के अधीन दण्डनीय अपराधों और उक्त अपराधों और उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध के संबंध में या उनसे संसक्त प्रयत्नों, दुष्प्रेरणों और षडयंत्रों के अन्वेषण के लिए, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तारण सम्पूर्ण राजस्थान राज्य पर करती है।

[सं. 228/4/83-एवीडी-II]

ORDER

New Delhi, the 20th March, 1986

S.O. 1349.—In exercise of the power conferred by subsection (1) of section 5, read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government, with the consent of the Government of Rajasthan, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Rajasthan for investigation of the offences punishable under sections 4 and 5 of the Anti-Hijacking Act, 1982 (65 of 1982) and attempts, abetments and conspiracies in relation to or in connection with the said offences and any other offences committed in the course of the same transaction arising out of the same facts.

[No. 228/4/83-AVD.II]

आदेश

का.आ. 1350 :—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दण्ड संहिता की धारा 120-ख

420, 466 और 471 के अधीन पुलिस थाना सिटी करनाल में रजिस्ट्रीकृत अपराध मामला संख्या 589, तारीख 7 सितम्बर, 1984 की बाबत जो दण्डिक अपोल संख्या 1984 का 437 में तारीख 29 मार्च, 1984 को माननीय उच्चतम न्यायालय द्वारा पारित तात्परित कूटरचित आदेश के आधार पर केन्द्रीय कारागार, अम्बाला के पुलिस अधीक्षक द्वारा प्रीतम सिंह, पुत्र श्री बंता सिंह, निवासी ग्राम बिछपारी, जिला, पानीपत को, जमानत पर निर्मुक्त किए जाने से संबंधित है और जिस में पुलिस थाना सदर पानीपत, हरियाणा के मामला सं. 1981 का 265 के अभियुक्त उक्त प्रीतम सिंह को नियुक्त किए जाने का निदेश दिया गया था, भारतीय दण्ड संहिता 1860 (1860 का अधिनियम 45) की धारा 120-ख, 420, 466, 468, और 471 के अधीन दण्डनीय अपराध और उक्त अपराधों और उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संव्यवहार के अनुक्रम में किए गए किसी अन्य अपराध के संबंध में या उनसे संसक्त प्रयत्नों, दुष्प्रेरणों और षडयंत्रों के अन्वेषण के लिए, हरियाणा सरकार की सहमति से, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण हरियाणा राज्य पर करती है।

[सं. 228/29/85-एवीडी-II]

ORDER

S.O. 1350.—In exercise of the powers conferred by sub-section (1) of section 5, read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the Government of Haryana, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Haryana for the investigation of Offences punishable under sections 120-B, 420, 466, 468 and 471, Indian Penal Code (Act 45 of 1860) and attempts, abetments and conspiracies in relation to or in connection with the said offences and any other offences committed in the course of the same transaction arising out of the same facts, in regard to the Crime case No. 589 dated 7th September, 1984 registered at Police Station City Karnal under sections 120-B, 420, 466 468 and 471 Indian Penal Code relating to the release on bail of Pritam Singh son of Banta Singh resident of Village Bichpari, District Panipat by the Superintendent of Police Central Jail, Ambala on the basis of forged order purported to have been passed by the Hon'ble Supreme Court of India on 29th March, 1984 in Criminal Appeal No. 437 of 1984 directing release of said Pritam Singh, accused of case No. 265 of 1981 of Police Station Sadar Panipat, Haryana.

[No. 228/29/85-AVD.II]

आदेश

का.आ. 1351 :—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के कार्मिक और प्रशिक्षण, प्रशासनिक सुधार और लोक शिकायत और पेंशन मंत्रालय (कार्मिक और प्रशिक्षण विभाग) के आदेश सं. का. आ. 4568, तारीख 10 सितम्बर, 1985 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त आदेश में, निम्नलिखित मद और प्रविष्टि का लोप किया जाएगा, अर्थात् :—

“(ix) यान-हरण निवारण अधिनियम, 1982 (1982 का 65) की धारा 4 और 5 के अधीन दण्डनीय अपराध।”

[सं. 228/4/83-एवीडी-II]

ORDER

S.O. 1351.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby makes the following amendments in the Order of the Government of India in the Ministry of Personnel and Training, Administrative Reforms and Public Grievances and Pension (Department of Personnel and Training) Order No. S.O. 4568 dated the 10th September, 1985, namely :—

In the said Order, the following item and entry shall be omitted, namely :—

“(ix) Offences punishable under sections 4 and 5 of the Anti-Hijacking Act, 1982 (65 of 1982)”.

[No. 228/4/83-AVD.II]

आदेश

का. आ. 1352.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और अधिसूचना सं. का. आ. 136, तारीख 27 दिसंबर, 1985 की अधिकांत करते हुए, भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 467, 471 और 420 के प्रयोग पुलिस थाना अंबाला में रजिस्ट्री के प्रथम इतिहास रिपोर्ट सं. 266/85 तारीख 15-5-85 को जांच जो दंडित अपराध सं. 1985 का 438 में तारीख 15-4-85 को माननीय भारत के उच्चतम न्यायालय द्वारा गरित तारित कृदरचित आदेश के आधारे पर निम्न न्याय का दायरिद्धि की भारतीय दंड संहिता का धारा 302 से 304 में संश्लिखित किया गया और उनका आश्रितन कारावास घटाकर पांच वर्ष का कठोर कारावास किया गया, प्रयोगक, केन्द्रीय कारागार, अंबाला द्वारा जयपाल पुत्र बाबा राम निवासा ग्राम मानस, पुलिस थाना सदर कैथल जिला कुश्नौर को निर्भूक्त किए जाने से संबंधित है, भारतीय दंड संहिता, 1860 की धारा 467, 471 और 420 के प्रयोग दंडात्मक अपराधों और उन्होंने अपराधों और उन्होंने तथ्यों से उत्पन्न होने वाले वैज्ञानिक संभव्यहारे के अनुक्रम में किए गए किताब प्रयोग के संबंध में जो उनसे संबंधित प्रत्यक्ष, दुष्प्रेरणों और अपराधों के आवेदन के लिए, हरियाणा सरकार का सहमति से, दिल्ली विशेष पुलिस स्थापन के सदस्यों का शक्तियों और अधिकारिता का विस्तार संपूर्ण हरियाणा राज्य पर करता है।

[सं. 228/29/85-ए. वा. डा.-II]

एम. एस. प्रसाद, अवर सचिव

ORDER

S.O. 1352.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946) and in supersession of notification No. S.O. 136 dated the 29th December, 1985, the Central Government with the consent of the Government of Haryana, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Haryana for the investigation of offences punishable under section 467, 471 and 420 of the Indian Penal Code, 1860 (45 of 1860) and attempts, abetments and conspiracies in relation to or in connection with the said offences and any other offences committed in the course of the same transaction arising out of the same facts, in regard to FIR No. 266/85 dated 15-5-85 registered at PS City Ambala under Section 467, 471 and

47 Indian Penal Code relating to the release of Jaipal son of Jasi Ram Resident of village Manas PS Sadar Kailthal, at Kurukshetra by the Superintendent, Central Jail, Ambala on the basis of forged order purported to have passed by the Hon'ble Supreme Court of India on 15-5-1985 in Criminal Appeal No. 438 of 1985 converting the conviction of Jaipal from Section 302 to 304 Indian Penal Code and reducing his sentence from life imprisonment to five years R.I.

[No. F. 228/29/85-AVD.II]

M. S. PRASAD, Under Secy.

(आंतरिक सुरक्षा विभाग)

(पुनर्वास प्रभाग)

नई दिल्ली, 7 मार्च, 1986

का. आ. 1353.—निष्क्रांत सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इसके द्वारा पुनर्वास प्रभाग में सहायक बन्दोवस्त आयुक्त श्री बी. पी. मथानी को उक्त अधिनियम के द्वारा अथवा अंतर्गत अभिरक्षक को सौंपे गए कार्यों का निष्पादन करने के प्रयोजन से निष्क्रांत सम्पत्ति अभिरक्षक, दिल्ली नियुक्त करती है।

2. इसके द्वारा भूतपूर्व पुनर्वास विभाग को दिनांक 23/24 फरवरी, 1983 की अधिसूचना संख्या-1 (2)/वि. सं. /83 एस. एस. II (क) का अधिक्रमण किया जाता है।

[सं. 1 (1)/वि. सं./86 एस. एस. II]

मोहम्मद असलम, अवर सचिव

(Department of Internal Security)

(Rehabilitation Division)

New Delhi, the 7th March, 1986

S.O. 1353.—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Shri B. P. Mathani, Assistant Settlement Commissioner in the Rehabilitation Division as the Custodian of Evacuee Property, Delhi for the purpose of discharging the duties imposed on the Custodian by or under the said Act.

2. This supersedes erstwhile Department of Rehabilitation Notification No. 1(2)/Spl. Cell/83-SS.II(A) dated 23/24th February, 1983.

[No. 1(1)/Spl. Cell/86-SS.II]

M. ASLAM, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 31 अक्टूबर, 1985

आयकर

का. आ. 1354.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड 44 के उप-खण्ड (iii) के अनुसरण में केन्द्रीय सरकार एतद्वारा नीचे स्तम्भ 4 में

उल्लिखित अधिसूचना (अधिसूचनाओं) का अधिलेखन करते हुए नीचे स्तम्भ 3 में उल्लिखित कर वसूली अधिकारियों के स्थान पर नीचे स्तम्भ 2 में उल्लिखित व्यक्तियों को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत कर वसूली अधिकारी (अधिकारियों) की शक्तियों का प्रयोग करने के लिए भूतलक्षी प्रभाव से प्राधिकृत करती है :

क्र. सं.	उन व्यक्तियों का नाम जिन्हें कर वसूली अधिकारी (अधिकारियों) की शक्तियों का प्रयोग करने के लिए प्राधिकृत किया जाना है	उन कर वसूली अधिकारी (अधिकारियों) के नाम जिनके स्थान पर स्तम्भ 2 में उल्लिखित व्यक्तियों को प्राधिकृत किया जाना है	उन पुरानी अधिसूचनाओं की संख्या और तारीख जिनका अधिलेखन किया जाना है
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1	2	3	4
सर्वश्री	सर्वश्री		
1. लाला राम	एस. के. साहा	सं. 5620 [फा. सं. 398/4/84-आ. का. (ब.)], दिनांक 13-2-84	
2. एस. एम. एस. यादव	एम. पी. सिंह	सं. 5622 [फा. सं. 398/4/84-आ. क. (ब.)], दिनांक 13-2-84	
3. मणि राम	कृष्ण लाल और राम प्रसाद	सं. 5624 और 5626 [फा. सं. 398/4/84-आ. क. (ब.)], दिनांक 13-2-84	

2. यह अधिसूचना 3 जून, 1985 से लागू हुई थी और जहाँ तक स्तम्भ 2 में उल्लिखित व्यक्तियों का संबंध है, कर वसूली अधिकारियों के रूप में उनके कार्य-भार संभालने की तारीख से लागू हुई।

[सं. 6481/(फा. सं. 398/31/85-आ. क. (ब))]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 31st October, 1985

INCOME-TAX

S. O. 1354.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises ex-post-facto the persons mentioned below column 2, being the Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officer(s) under the said Act in place of the Tax Recovery Officers mentioned below in column 3 in supersession of the Notification(s) mentioned below in column 4:

S. No.	Name of the persons to be authorised to exercise powers of Tax Recovery Officer(s)	Name of the Tax Recovery Officer(s) in place of whom the persons mentioned in column 2 are to be authorised	Old Notification No. and date to be superseded
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1	2	3	4
	S/Shri	S/Shri	
1.	Lala Ram	S.K. Saha	No. 5620 [F.No. 398/4/84-IT(B)] dated 13-2-84.
2.	S.M.S. Yadav	M.P. Singh	No. 5622 [F.No. 398/4/84-IT(B)] dated 13-2-84.
3.	Mani Ram	Krishan Lal & Ram Prasad	No. 5624 and 5626 [F.No. 398/4/84-IT(B)] dated 13-2-84.

2. This Notification came into force with effect from 3-6-85 in so far as persons mentioned in column 2 when they took over charge(s) as Tax Recovery Officers.

[No. 6481/F. No. 398/31/85 IT(B)]

नई दिल्ली, 10 दिसम्बर, 1985

आय-कर

का. आ. 1355.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खण्ड (III) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 4-6-1983 की अधिसूचना संख्या 5263 [फा. सं. 398/6/83-आ. क. (ब.)] का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री सन्तोष कुमार शर्मा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत 1-7-85 से कर वसूली अधिकारों की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

[सं. 6527/फा. सं. 398/34/85-आ. क. (ब.)]

बी. ई. अलैकजेंडर, अवर सचिव

New Delhi, the 10th December, 1985

INCOME-TAX

S.O. 1355.—In pursuance of sub-clause (iii) of clause (44) of the Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Govt. of India in the Department of Revenue No. 5263 [F. No. 398/6/83-IT(B)] dated the 4-6-1983, the Central Government hereby authorises ex-post-facto Shri Santosh Kumar Sharma being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act from 1-7-85.

[No. 6527/F. No. 398/34/85-IT(B)]

B. E. ALEXANDER, Under Secy.

नई दिल्ली, 24 फरवरी, 1986

(आय-कर)

का. आ. 1356.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23A) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा, उक्त धारा के प्रयोजनार्थ, "थिग्यावदुधुरै" अधिनियम, जिला तंजावर को कर-निर्धारण वर्ष 1985-86 से 1987-88 तक के अंतर्गत आने वाले अवधि के लिए अधिसूचित करती है।

[सं. 6598/फा. सं. 197/81-82 आ. क. (नि-I)]

New Delhi, the 24th February, 1986

INCOME-TAX

S.O. 1356.—In exercise of the powers conferred by sub-clause (V) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Thiruvavaduthurai Adheenam, Thanjavur Distt." for the purpose of the said section for the period covered by the assessment years 1985-86 to 1987-88.

[No. 6598/F. No. 197A/81/82-IT(A1)]

नई दिल्ली, 3 मार्च, 1986

का. आ. 1357.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रिय सरकार एतद्वारा, उक्त धारा के प्रयोजनार्थ, श्री "श्री ठाकुर रामचन्द्र देव ऐसासिएशन (पंजीकृत)" को कर निर्धारण वर्ष 1985-86 से 1987-88 तक के अन्तर्गत आने वाले अवधि के लिए अधिसूचित करता है।

[स. 6609/(फा.सं. 197/65/85-आ.क. (नि-I)]

New Delhi, the 3rd March, 1986

(INCOME-TAX)

S.O. 1357.—In exercise of the powers conferred by sub-clause (V) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Sri Thakur Ramchandra Dev Association (Regd)" for the purpose of the said section for the period covered by the assessment years 1985-86 to 1987-88.

[No 6609/F. No. 197/65/85-IT(A1)]

(केन्द्रिय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 7 जनवरी, 1986

आयकर

का. आ. 1358.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 के उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रिय प्रत्यक्ष कर बोर्ड अपनी दिनांक 18-2-1983 के अधिसूचना सं. 5094 (फा. सं. 189/5/81 आ. क. नि. I) के अनुसूची में निम्नलिखित संशोधन करता है।

क्रम सं. 13 के सामने स्तम्भ 1, 2 तथा 3 के प्रविष्टियों को निम्नानुसार प्रतिस्थापित किया गया है:

अनुसूची

क्र. आयकर सं. आयुक्त	प्रधान कार्यालय	क्षेत्राधिकार
1	2	3
13 कोचिन	कोचिन	1. कंपनी परमंडल, एर्णाकुलम 2. आयकर परमंडल, एर्णाकुलम 3. सर्वेक्षण परमंडल-1, एर्णाकुलम 4. विशेष परमंडल, एर्णाकुलम 5. वेतन परमंडल, एर्णाकुलम

1 2 3 4

6. आयकर परमंडल, मट्टन चैरी
7. आयकर परमंडल, अलवाय
8. आयकर परमंडल, त्रिचुर
9. आयकर परमंडल, पालघाट
10. आयकर परमंडल-I, कोल कट
11. आयकर परमंडल-II, कोल कट
12. आयकर परमंडल, काकनाोर
13. आयकर परमंडल, बागार-गोड
14. आयकर एवं सम्पदा शुल्क परमंडल, एर्णाकुलम
15. आयकर एवं सम्पदा शुल्क परमंडल, त्रिचुर
16. और आयकर परमंडल, कोचिन

यह अधिसूचना दिनांक 15 जनवरी, 1986 से लागू होगी।

[सं. 6558/आ. सं. 137/10/85 आ. क. नि. I]

Central Board of Direct Taxes

New Delhi, the 7th January, 1986.

INCOME-TAX

S. O. 1358.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes makes the following amendment to the Schedule to its Notification No. 5094 (F. No. 189/5/81-ITA.1) dated 18-2-1983.

Entries in Col. 1, 2 & 3 against Sl. No. 13 are substituted as under :—

SCHEDULE

Sl. No.	Commissioner of Income-tax	Head-quarters	Jurisdiction
1	2	3	4
13.	Cochin	Cochin	1. Companies Circle, Ernakulam. 2. Income-tax Circle, Ernakulam. 3. Survey Circle-I, Ernakulam. 4. Special Circle, Ernakulam. 5. Salary Circle, Ernakulam. 6. Income-tax Circle, Mattancherry. 7. Income-tax Circle, Alwaye. 8. Income-tax Circle, Trichur.

1	2	3	4
			9. Income-tax Circle, Palghat.
			11. Income-tax Circle-I, Calicut.
			11. Income-tax Circle-II, Calicut.
			12. Income-tax Circle, Cannanore.
			13. Income-tax Circle, Kasargod.
			14. Income-tax-cum-Estate Duty Circle, Ernakulam.
			15. Income-tax-cum-Estate Duty Circle, Trichur.
			16. Non-resident Circle, Cochin.

This notification takes effect from 15th January, 1986.

[No. 6558/F. No. 187/10/85-ITA.I]

आय-कर

का. आ. 1359:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड अपनी दिनांक 17-4-1982 की अधिसूचना सं. 4579 (फा. सं. 187/14/82 आ. क. नि. 1) की अनुसूची में निम्नलिखित संशोधन करता है।

क्रम सं. 21 के सामने स्तम्भ 2, 3 तथा 4 की प्रविष्टियां निम्नानुसार प्रतिस्थापित की जाएंगी :—

अनुसूची

क्रम सं.	आयकर आयुक्त	मुख्यालय	क्षेत्राधिकार
1	2	3	4
21	तमिलनाडु-1 मद्रास		1. नगर परिमण्डल-1, मद्रास 2. विदेश अनुभाग, मद्रास 3. गैर आवासीय परिमंडल, मद्रास

यह अधिसूचना दिनांक 15 जनवरी, 1986 से लागू होगी।

[सं. 6559/फा. सं. 187/10/85 आ. क. नि.-I]

INCOME-TAX

S. O. 1359:—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes makes the following amendment to the Schedule to its Notification No. 4579 (F. No. 187/14/82-ITA.I) dated 17-4-1982.

Entries in Col. 2, 3 & 4 against Sl. No. 21 are substituted as under :—

SCHEDULE

Sl. No.	Commissioner of Income-tax	Head-quarters	Jurisdiction
1	2	3	4
21.	Tamil Nadu-I Madras		1. City Circle-I, Madras. 2. Foreign Section, Madras. 3. Non-resident Circle, Madras.

This notification takes effect from 15th January, 1986.

[No. 6559/F. No. 187/10/85-ITA. I]

आय-कर

का. आ. 1360:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड अपनी दिनांक 3 मार्च, 1982 को अधिसूचना सं. 4501 (फा. सं. 187/41/81 आ. क. नि.-I) की अनुसूची में निम्नलिखित संशोधन करता है।

क्रम सं. 23 के सामने स्तम्भ 1, 2 तथा 3 की प्रविष्टियों में निम्नानुसार प्रतिस्थापित किया गया है :—

अनुसूची

क्रम सं.	आयकर आयुक्त	प्रधान कार्यालय	क्षेत्राधिकार
1	2	3	4
23	पश्चिम बंगाल-1	कलकत्ता	1. कंपनी जिला- 1, कलकत्ता 2. विदेश अनुभाग, कलकत्ता 3. अनिवासी परिमंडल, कलकत्ता

यह अधिसूचना दिनांक 15 जनवरी, 1986 से लागू होगी।

[सं. 6560/फा. सं. 187/10/85 आ. क. नि.-I]

INCOME-TAX

S. O. 1360:—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes makes the following amendment to the Schedule to its Notification No. 4501 (F. No. 187/41/81-ITA.I) dated 3-3-1982.

Entries in Col. 1, 2 and 3 against Sl. No. 23 are substituted as under :—

SCHEDULE

Sl. No.	Commissioner of Income-tax	Head-quarters	Jurisdiction
1	2	3	4
23	West Bengal-I	Calcutta	1. Companies District-I, Calcutta. 2. Foreign Section, Calcutta. 3. Non-resident Circle, Calcutta.

This notification takes effect from 15th January, 1986.

[No. 6560/F. No. 187/10/85-ITA. I]

आय-कर

का. आ. 1361:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड अपनी दिनांक 29 मई, 1985 की अधिसूचना सं.

6235 (फा. सं. 187/20/84 आ. क. नि.-I) की अनुसूची में निम्नलिखित संशोधन करता है :—

क्रम सं. 8 के सामने स्तम्भ 2, 3 तथा 4 की प्रविष्टियां निम्नानुसार प्रतिस्थापित की गई हैं :—

अनुसूची

क्रम सं.	आयकर आयुक्त	मुख्यालय	क्षेत्राधिकार
1	2	3	4
8.	दिल्ली-1	नई दिल्ली	1. निरीक्षी सहायक आयकर आयुक्त (कर निर्धारण) रेंज-XIII नई दिल्ली 2. निरीक्षी सहायक आयकर आयुक्त (कर निर्धारण), रेंज XIX, नई दिल्ली 3. विदेश अनुभाग नई दिल्ली 4. अनिवासी परि-मंडल दिल्ली।

यह अधिसूचना दिनांक 15 जनवरी, 1986 से लागू होगी।

[सं. 6561 फा. सं. 187/10/85-आ. क. नि.-I]

INCOME-TAX

S. O. 1361:—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes makes the following amendment to the Schedule to its Notification No. 6235 (F. No. 187/20/84-ITA.D) dated 29th May, 1985 :—

Entries in Col. 2, 3 & 4 against S. No. 8 are substituted as under :—

SCHEDULE

Sl. No. of Income-tax	Commissioner Head-quarters	Jurisdiction
1	2	3
8. Delhi	New Delhi	1. IAC (Asstt), Range-III, New Delhi. 2. IAC (Asstt), Range-IX, New Delhi. 3. Foreign Section, New Delhi. 4. Non-resident Circle, Delhi.

This notification takes effect from 15th January, 1986.

[No. 6561 F. No. 187/10/85-ITA. I]

आय-कर

का. आ. 1362—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष

कर बोर्ड अपनी दिनांक 5-1-1985 की अधिसूचना सं. 6098 (फा. सं. 187/32/84 आ. क. नि. -1) की अनुसूची में निम्नलिखित संशोधन करता है।

क्रम सं. 10 के सामने स्तम्भ 1, 2 तथा 3 की प्रविष्टियां निम्नानुसार प्रतिस्थापित की गई हैं :—

अनुसूची

क्रम सं.	आयकर आयुक्त	मुख्यालय	क्षेत्राधिकार
1	2	3	4
10.	गुजरात-1	अहमदाबाद	1. कंपनी परिमंडल-I 2. कंपनी परिमंडल-II 3. कंपनी परिमंडल-V 4. कंपनी परिमंडल-VI 5. कंपनी परिमंडल-VII 6. कंपनी परिमंडल-VIII 7. कंपनी परिमंडल-IX 8. कंपनी परिमंडल-X 9. कंपनी परिमंडल-XV अहमदाबाद 10. निरीक्षी सहायक आयकर आयुक्त (कर निर्धारण)I अहमदाबाद 11. अनिवासी परि-मण्डल, अहमदाबाद

यह अधिसूचना दिनांक 15 जनवरी, 1986 से लागू होगी।

[सं. 6562/फा. सं. 187/10/85 आ. क. नि.-I]

INCOME-TAX

S. O. 1362:—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes makes the following amendment to the Schedule to its Notification No. 6098 (F. No. 187/32/84-ITA.I) dated 5-1-1985.

Entries in Col. 1, 2 & 3 against Sl. No. 10 are substituted as under :—

SCHEDULE

Sl. No. of Income-tax	Commissioner Head-quarters	Jurisdiction
1	2	3
10. Gujarat-I	Ahmedabad.	1. Companies Circles-I 2. Companies Circles-II. 3. Companies Circles-V 4. Companies Circles-VI

1	2	3	4
			5. Companies Circles-VII
			6. Companies Circles-VIII
			7. Companies Circles-IX
			8. Companies Circles-X
			9. Companies Circles-XV, Ahmedabad
			10. IAC (Asstt)-I, Ahmedabad.
			11. Non-resident Circle, Ah- medabad.

This notification takes effect from 15th January, 1986.

[No. 6562/F. No. 187/10/85-ITA.]

आय-कर

का. आ. 1363 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 126 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड, दिल्ली, कलकत्ता, मद्रास, कोचीन तथा अहमदाबाद में अनिवासी परिमंडलों का सृजन करता है।

2. कोई भी व्यक्ति जो अनिवासी है तथा दिनांक 29-10-1985 की अधिसूचना सं. 6476 (फा. सं. 187/29/84 आ. का. नि. I) के अंतर्गत जारी किए गए क्षेत्राधिकार-आदेश के अंतर्गत नहीं आता है वह अपनी आयकर विवरणी उपरिनिर्दिष्ट किसी भी अनिवासी परिमंडल में प्रस्तुत कर सकता है, बशर्ते कि—

(i) उसका भारत में पहले कहीं भी करनिर्धारण नहीं हुआ हो;

(ii) ऊपर उल्लिखित परिमंडलों में से किसी एक परिमंडल में एक बार अपनी आयकर विवरणी दाखिल करने पर, उसके मामले का क्षेत्राधिकार तब तक उस परिमंडल के अंतर्गत रहेगा जब तक कि उसे आयकर अधिनियम, 1961 की धारा 127 के तहत बदला नहीं जाएगा।

3. बम्बई में अनिवासी नागरी परिमंडलों से संबंधित दिनांक 5-5-1984 की अधिसूचना संख्या 5795 (फा. सं. 187/27/83 आ. क. नि. I) के तहत जारी किया गया क्षेत्राधिकार आदेश उपर्युक्त पैरा 2 में विनिर्दिष्ट व्यक्तियों पर लागू नहीं होगा।

यह अधिसूचना दिनांक 15 जनवरी, 1986 से लागू होगी।

[सं. 6563/फा. सं. 187/10/85 आ. का. नि-I]

आय. के. तिवारी, अवर सचिव

INCOME-TAX

S.O. 1363.—In exercise of the powers conferred u/s 126 of Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes creates Non-resident Circles at Delhi, Calcutta Madras, Cochin and Ahmedabad.

2. Any person who is a non-resident and is not covered by the Jurisdiction Order issued vide Notification No. 6476/F. No. 187/29/84-IT(AI) dated 29-10-1985 may file his income-tax return in any of the Non-resident Circles mentioned above provided:

(i) He is not already assessed to tax anywhere in India;

(ii) Once he files his income-tax return in any of the above-mentioned Circles, the jurisdiction over his case will continue with that Circle unless it is changed u/s 127 of Income-tax Act, 1961.

3. Jurisdiction order issued vide Notification No. 5795/F. No. 187/23/83-IT(AI) dated 5-5-1984 relating to Non-resident Refund Circles in Bombay shall not apply in respect of persons mentioned in para 2 above.

4. This Notification takes effect from 15th January, 1986.

[No. 6563/F. No. 187/10/85-IT(AI)]

R. K. TEWARI, Under Secy.

अदेश

नई दिल्ली, 20 मार्च, 1986

का. आ. 1364 :—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 9 के उप-नियम (2), नियम 12 के उप-नियम (2) के खंड (ख) और नियम 24 के उप-नियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के नतिबंधन प्रविधान (कर्मित और प्रशासनिक गुणवत्ता विभाग) के आदेश सं. 29-1-74ए व डे-4 तारीख 19 फरवरी, 1976 का निम्नलिखित और संशोधन करते है, अर्थात् :-

उक्त अधिसूचना की अनुसूची के, "भाग 3- साधारण केन्द्रीय सेवा समूह "ब" के स्तंभ 3 और 4 में, विद्यमान प्रविष्टियों के स्थान पर, निम्नलिखित प्रविष्टियाँ रखी जाएंगी, अर्थात् :-

'उप-निदेशक (प्रशा.) राजस्व असूचना निदेशालय'

[आ. सं. सं- 11016/75/85- प्रशा. 5]

विजय सिंह, अवर सचिव

ORDER

New Delhi, the 20th March, 1986

S.O. 1364.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the order of the Government of India in the Cabinet Secretariat (Department of Personnel and Administrative Reforms) No. 29/1/74-AVD. IV, dated the 19th February, 1976 namely :—

In the Schedule to the said notification, in "Part III—General Central Service, Group 'D'", in column 3 and 4, for the existing entries the following entries shall be substituted, namely :—

"Deputy Director (Admn.) in the Directorate of Revenue Intelligence".

[F. No. C-11016/75/85.Ad.VI]

VIJAY SINGH, Under Secy

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 23 जनवरी, 1986

(आय-कर)

का. आ. 1365 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उप धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्व-वर्ती अधिसूचनाओं का अधिसंशोधन करते हुए, केन्द्रीय प्रत्यक्ष

कर बोर्डे एनड्रारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट रेंजों के अपीलीय सहायक आयकर आयुक्त आयकर से निर्धारित उन सभी व्यक्तियों और आय को छाड़कर जिन पर क्षेत्राधिकार आयकर आयुक्त (अपील) में निहित है, उक्त अनुसूची के स्तम्भ (2) की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर परिमंडलों, वार्डों और जिलों में, आयकर से निर्धारित सभी व्यक्तियों और आय के संबंध में अपने कार्य करेंगे।

अनुसूची

रेंज	आयकर परिमंडल, वार्ड और जिले
1	2
अपीलीय सहायक आयुक्त पुणे रेंज, पुणे।	1. क-वार्ड, पुणे 2. घ-वार्ड, पुणे 3. ज-वार्ड, पुणे 4. ञ-वार्ड, पुणे 5. ङ-वार्ड, पुणे 6. ढ-वार्ड, पुणे 7. थ-वार्ड, पुणे 8. द-वार्ड, पुणे 9. ध-वार्ड, पुणे 10. कंपनी परिमंडल, पुणे 11. केन्द्रीय परिमंडल-III, पुणे 12. न-वार्ड, पुणे 13. ब-वार्ड, पुणे 14. भ-वार्ड, पुणे 15. कंपनी परिमंडल-1, पुणे 16. कंपनी परिमंडल-II, पुणे 17. केन्द्रीय परिमंडल-1, पुणे 18. विशेष सर्वेक्षण परिमंडल-पुणे 1, 19. विशेष सर्वेक्षण परिमंडल-II, पुणे 20. वेतन तथा वापसी परिमंडल-1, पुणे 21. वेतन तथा वापसी परिमंडल-II, पुणे 22. वेतन तथा वापसी परिमंडल-III, पुणे 23. वेतन तथा वापसी परिमंडल-IV, पुणे 24. अतिरिक्त वार्ड, पुणे 25. विदेश अनुभाग, पुणे 26. अतिरिक्त ग-वार्ड, पुणे 27. अतिरिक्त छ-वार्ड, पुणे 28. सहायक निरीक्षण निदेशक (आसूचना), पुणे 29. केन्द्रीय परिमंडल-IV, पुणे 30. केन्द्रीय परिमंडल-II, पुणे

1

2

31. कंपनी परिमंडल-III, पुणे
32. विशेष सर्वेक्षण परिमंडल-III, पुणे
33. वेतन तथा वापसी-IV, पुणे
34. ख-वार्ड, पुणे
35. ग-वार्ड, पुणे
36. ङ-वार्ड, पुणे
37. च-वार्ड, पुणे
38. छ-वार्ड, पुणे
39. ट-वार्ड, पुणे
40. केन्द्रीय परिमंडल-II, पुणे
41. ठ-वार्ड, पुणे
42. न-वार्ड, पुणे
43. प-वार्ड, पुणे
44. म-वार्ड, पुणे
45. य-वार्ड, पुणे
46. सा. प्र. का. -II, पुणे
47. सा. प्र. का. -1, पुणे
48. सा. प्र. का. -III, पुणे
49. परिमंडल-III, पुणे
50. अतिरिक्त ख-वार्ड, पुणे
51. अतिरिक्त म-वार्ड, पुणे
52. सा. प्र. का. -IV, पुणे
53. अतिरिक्त प-वार्ड, पुणे

अपीलीय सहायक आयुक्त, थाणे रेंज, थाणे

1. क-वार्ड, थाणे
2. ख-वार्ड, थाणे
3. ग-वार्ड, थाणे
4. घ-वार्ड, थाणे
5. ज-वार्ड, थाणे
6. ट-वार्ड, थाणे
7. ड-वार्ड, थाणे
8. ढ-वार्ड, थाणे
9. आयकर अधिकारी पालधर
10. आयकर अधिकारी ङ-वार्ड, थाणे
11. च-वार्ड, थाणे
12. छ-वार्ड, थाणे
13. ञ-वार्ड, थाणे
14. ठ-वार्ड, थाणे
15. त-वार्ड, थाणे
16. थ-वार्ड, थाणे
17. विशेष सर्वेक्षण परिमंडल, थाणे
18. क-वार्ड, पांवल
19. ख-वार्ड, पांवल
20. ग-वार्ड, पांवल

यतः कोई आयकर परिमंडल, वार्ड अथवा जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अंतरित कर दिया जाता है, उस आयकर परिमंडल, वार्ड अथवा जिले अथवा उसके किसी भाग में किए गए कर-निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व रेंज के उस अपीलीय सहायक आयुक्त के समक्ष विचाराधीन पड़ी अपीलें, जिनके अधिकार क्षेत्र से उस परिमंडल, वार्ड अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो, इस अधिसूचना के लागू होने की तारीख से रेंज के उस अपीलीय सहायक आयुक्त को अंतरित की जाएंगी और उसके द्वारा निपटाई जाएंगी, जिसके अधिकार क्षेत्र में उक्त परिमंडल, वार्ड अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो।

यह अधिसूचना 13-1-85 से लागू होगी।

[सं. 6580/फा.सं. 261/23/85-आ.क. न्या.]

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 23rd January, 1986

(INCOME-TAX)

S.O. 1365.—In exercise of the powers conferred by sub-section (i) of Section 122 of the Income Tax Act, 1961 (43 of 1961) and in supersession of all the previous notifications in this regard, the Central Board of Direct Taxes, hereby directs that Appellate Assistant Commissioners of Income-tax of the Ranges specified in column (1) of the schedule below, shall perform their functions in respect of all persons and incomes assessed to Income-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and incomes assessed to Income tax over which the jurisdiction vests in Commissioner of Income tax (Appeals).

SCHEDULE

Ranges	Income-tax Circles, Wards & Districts
(1)	(2)
AAC., PR., Pune.	1. A-Ward, Pune. 2. D-Ward, Pune. 3. H-Ward, Pune. 4. J-Ward, Pune. 5. M-Ward, Pune. 6. N-Ward, Pune. 7. Q-Ward, Pune. 8. R-Ward, Pune. 9. S-Ward, Pune. 10. Companies Circle, Pune. 11. Central Circle-III, Pune. 12. T-Ward, Pune. 13. W-Ward, Pune. 14. X-Ward, Pune. 15. Companies Circle-I, Pune. 16. Companies Circle-II, Pune. 17. Central Circle-I, Pune. 18. Special Survey Circle-I, Pune. 19. Special Survey Circle-II, Pune. 20. Salaries & Refunds Circle-I, Pune. 21. Salaries & Refunds Circle-II, Pune. 22. Salaries & Refunds Circle-III, Pune.

(1)

(2)

23. Salaries & Refunds Circle-IV, Pune.
24. Addl. J—Ward, Pune.
25. Foreign Section, Pune.
26. Addl. C—Ward, Pune.
27. Addl. G—Ward, Pune.
28. ADI (Int.), Pune.
29. Central Circle-IV, Pune.
30. Central Circle-II, Pune.
31. Companies Circle-III, Pune.
32. Special Survey Circle-III, Pune.
33. Salaries and Refunds-V, Pune.
34. B-Ward, Pune.
35. C-Ward, Pune.
36. E-Ward, Pune.
37. F-Ward, Pune.
38. G-Ward, Pune.
39. K-Ward, Pune.
40. Central Circle-II, Pune.
41. L-Ward, Pune.
42. T-Ward, Pune.
43. U-Ward, Pune.
44. Y-Ward, Pune.
45. Z-Ward, Pune.
46. GHQ-II, Pune.
47. GHQ-I, Pune.
48. GHQ-III, Pune.
49. Circle-III, Pune.
50. Addl. B-Ward, Pune.
51. Addl. Y-Ward, Pune.
52. GHQ-IV, Pune.
53. Addl. U-Ward, Pune.

AAC., TR., Thane.

1. A—Ward, Thane.
2. B—Ward, Thane.
3. C—Ward, Thane.
4. D—Ward, Thane.
5. H—Ward, Thane.
6. K—Ward, Thane.
7. M—Ward, Thane.
8. N—Ward, Thane.
9. ITO Palghar.
10. ITO E—Ward, Thane.
11. F—Ward, Thane.
12. G—Ward, Thane.
13. J—Ward, Thane.
14. L—Ward, Thane.
15. P—Ward, Thane.
16. Q—Ward, Thane.
17. Special Survey Circle, Thane.
18. A-Ward, Panvel.
19. B-Ward, Panvel.
20. C-Ward, Panvel.

Where an Income-tax Circular, Ward or District or part thereof stands transferred by this notification from one range to another range, appeals, arising out of the assessments made in that Income-tax Circle, ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall from the date this notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said circle Ward or District or part thereof is transferred.

This notification shall take effect from 13-1-86.

[No. 6580/F. No. 261/23/85-ITJ]

नई दिल्ली, 5 फरवरी, 1986

आयकर

का.आ. 1366.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121-क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 3-8-1984 की पूर्ववर्ती अधिसूचना सं० 5923 (फा.सं. 261/8/84-आ. क. न्या.) में संशोधन करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट अधिकार क्षेत्र के आयकर आयुक्त (अपील), स्तम्भ (2) और स्तम्भ (3) की तत्संबंधी प्रविष्टियों में विनिर्दिष्ट आयकर वार्डों, परिमंडलों, जिलों और रेंजों में आयकर अथवा अतिकर या ब्याजकर में निर्धारित ऐसे व्यक्तियों के बारे में, जो आयकर अधिनियम, 1961 की धारा 246 की उप धारा (2) के खण्ड (क) से (ज), कंपनी (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उप धारा (1) तथा ब्याज कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी भी आदेश में व्यथित हुए हैं, और ऐसे व्यक्तियों या व्यक्तियों की श्रेणियों की बाबत भी, जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उप धारा (2) के खण्ड (1) के उप-बंधों के अनुसार निदेश दिया है या भविष्य में निदेश दें, कार्य निर्वहन करेंगे।

अनुसूची

अधिकार क्षेत्र का प्रधान कार्यालय	आयकर वार्ड/परिमंडल और जिले	निरीक्षी सहायक आयकर आयुक्त रेंज
1	2	3
आयुक्त (अपील) पुणे।	आयकर आयुक्त, पुणे के क्षेत्राधिकार में आने वाले सभी वार्ड और परिमंडल	पुणे रेंज-I, पुणे पुणे रेंज-II, पुणे पुणे रेंज-III, पुणे कर-निर्धारण रेंज-I, पुणे थाणे रेंज-I, थाणे थाणे रेंज-II, थाणे
आयुक्त (अपील) नासिक	आयकर आयुक्त, नासिक के क्षेत्राधिकार में आने वाले सभी वार्ड और परिमंडल	नासिक रेंज, नासिक कर निर्धारण रेंज, नासिक; औरंगाबाद रेंज, औरंगाबाद।
आयुक्त (अपील) कोल्हापुर	आयकर आयुक्त, कोल्हापुर के क्षेत्राधिकार में आने वाले सभी वार्ड और परिमंडल	शोलापुर रेंज, शोलापुर; कोल्हापुर रेंज कोल्हापुर

जहां कोई आयकर परिमंडल, वार्ड अथवा जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक अधिकार क्षेत्र में किसी अन्य अधिकार क्षेत्र में अंतरित कर दिया गया हो, वहां उस आयकर परिमंडल, वार्ड अथवा जिला अथवा उसके किसी भाग में किए गए निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व, अधिकार क्षेत्र के उस आयकर आयुक्त (अपील) के समक्ष विचाराधीन पड़ी अपीलें, जिसके अधिकार क्षेत्र में उक्त आयकर परिमंडल, वार्ड अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो, इस अधिसूचना के लागू होने की तारीख से अधिकार क्षेत्र के उस आयकर आयुक्त (अपील) को अंतरित की जाएंगी और उसके द्वारा निपटाई जाएंगी जिसके अधिकार क्षेत्र में उक्त परिमंडल, वार्ड अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो।

यह अधिसूचना 1-2-1986 से लागू होगी।

[सं. 6585 फा.सं. 261/2/86-आ.क. न्या.]

ए. के. गर्ग, अव्वर सचिव

New Delhi, the 5th February, 1986

INCOME-TAX

S.O. 1366.—In exercise of the powers conferred by sub-section (1) of Section 121-A of the Income-tax Act, 1961, (43 of 1961) and in modification of the previous notification No. 5923 (F. No. 261/8/84-ITJ) dated 3-8-1984 the Central Board of Direct Taxes hereby directs that the Commissioner of Income-tax (Appeals) of the Charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons, assessed to Income-tax or Sur-tax or Interest tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income Tax Act, 1961 in sub-section (1) of Section II of Companies (Profits) Sur-tax Act, 1964 (7 of 1964) and in sub-section (1) of section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or clauses of persons as the Board has directed or may direct in future in accordance with the provisions of Clause (1) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

SCHEDULE

Charges with	Income Tax Wards/Circles and Districts	Ranges of IACS of Income-tax
(1)	(2)	(3)
Commissioner (Appeals) Pune.	All wards and circles within the jurisdiction of Commissioner of Income-tax, Pune.	Pune Range-I, Pune. Pune Range-II, Pune. Pune Range-III, Pune. Asst. Range-I, Pune. Thane Range-I, Thane. Thane Range-II, Thane.
Commissioner (Appeals) Nasik.	All wards and Circles within the jurisdiction of Commissioner of Income-tax, Nasik.	Nasik Range, Nasik. Asstt. Range, Nasik. Aurangabad Range, Aurangabad.

(1)	(2)	(3)
Commissioner (Appeals) Kolhapur.	All Wards & Cir. within the jurisdiction of CIT., Kolhapur.	Solapur Range, Solapur Kolhapur Range, Kolhapur.

Whereas Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one charge to another charge, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Commissioner of Income-tax (Appeals) of the Charge from whom the said Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (Appeals) of the Charge to whom the said circle, Ward or district or part thereof is transferred.

This notification shall take effect from 1-2-86.

[No. 6585/F.No. 261/2/86—ITJ]

A. K. GARG, Under Secy.

कार्यालय समाहर्ता केन्द्रीय उत्पादन शुल्क

अधिसूचना सं. 1/1986-सीमाशुल्क

इलाहाबाद, 6 जनवरी, 1986

विषय:—सीमाशुल्क अधिनियम, 1962 की धारा 8 के अंतर्गत अधिसूचना

का.आ. 1367 :—सीमाशुल्क अधिनियम, 1962 की धारा-8 (ख) के अंतर्गत निहित शक्तियों का प्रयोग करते हुए मैं अमउसी लखनऊ हवाई अड्डा क्षेत्र को सीमाशुल्क क्षेत्र घोषित करता हूँ। इसकी भौगोलिक स्थिति को नीचे दिखाया गया है

सारणी

भौगोलिक स्थिति 26° 45' 42" उत्तर
82° 53' 07" पूर्व

कुल क्षेत्र- 1130.75 एकड़

चौहद्दी—

उत्तर पूर्व दक्षिण पूर्व निवेशन लखनऊ कानपुर रोड

पूर्व-गोरउरा गांव

दक्षिण भक्तिखेरा

पश्चिम बोरहट कानपुर रोड के पार

[पत्र सं.-VIII(8) 39-सी.शु./74/586]

बसंत नाईक, समाहर्ता

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE

NOTIFICATION NO. 1/1986 CUSTOMS

Allahabad, the 6th January, 1986

Subject : Notification under section 8 of the Customs Act, 1962

S. O. 1367 :—In exercise of powers conferred on me under section-8(b) of Customs Act, 1962, I declare the area Amausi Airport, Lucknow as per limits specified in the Table below to be the Customs area.

TABLE

Geographical Location	6°45' 42" N 82°53' 07" E
Total Area	1130.75 Acres.
Area Bounded by.	NE & SE Directions Lucknow-Kanpur Road.
East- Goraura Village.	
South- Bhaktikhera.	
West- Vorhut across Kanpur Road.	

[C. No. VIII(8)39-Cus./74/586]

V. S. NAIK, Collector

केन्द्रीय उत्पाद शुल्क समाहर्ता का कार्यालय

(केन्द्रीय उत्पाद शुल्क)

अधिसूचना सं. 1/के.उ.शु./1986

कलकत्ता, 26 फरवरी, 1986

का.आ. 1368.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944, नियम 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं, श्री सी. भुजंगस्वामी, समाहर्ता, केन्द्रीय उत्पाद शुल्क, कलकत्ता-1, कलकत्ता, इसके द्वारा केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 173एच के अधीन की समाहर्ता की शक्तियों को सहायक समाहर्ताओं को अपने संबंधित कार्य-क्षेत्र में प्रयोग करने के लिए प्राधिकृत करता हूँ।

[सी. सं. IV(8) 1-के.उ./कल/1/85]

सी. भुजंग स्वामी समाहर्ता

(Office of the Collector of Central Excise)

CENTRAL EXCISE

Notification No. 1/Central Excise/1986

Calcutta, the 26th February, 1986

S.O. 1368.—In exercise of the powers conferred upon me by Rule 5 of the Central Excise Rules, 1944, I Shri C. Bhujangaswamy Collector of Central Excise, Calcutta-1 Calcutta, hereby authorise the Assistant Collector to exercise within their respective jurisdictions the powers of the Collector under Rule 173H of the Central Excise Rules, 1944.

[C. No. IV(8)1-CE/Cal. 1/85]

C. BHUJANGASWAMY, Collector.

(समाहर्तालय केन्द्रीय उत्पाद शुल्क)

अधिसूचना संख्या 5/86

नागपुर, 13 मार्च, 1986

का. आ. 1369.—श्री डी. आर. खानखोजे, अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह 'ख' ने निवर्तन को आयु प्राप्त होने पर शासकीय सेवा से दिनांक 28-2-86 को अपरान्त में सेवा निवृत्त हुए।

[फा. सं. 11(3) 1/86/स्था. 1/ 2232]

CENTRAL EXCISE COLLECTORATE

NOTIFICATION NO. 5/86

Nagpur, the 13th March, 1986

S.O. 1369.—Shri D. R. Khanhoje, Superintendent of Central Excise Group 'B' having attained the age of Superannuation retired from Govt. service on 28-2-86 (A.N.)

[C. No. 11(3)1/86-Est.J.22321]

नागपुर, 18 मार्च 1986

अधिसूचना क्रम 8/86

का. आ. 1370.—अधीक्षक, केन्द्रीय उत्पाद शुल्क श्रेणी 'ख' में पदोन्नत होने पर श्री व्ही. एस. सदावर्ते निरीक्षक, केन्द्रीय उत्पाद शुल्क ने अधीक्षक केन्द्रीय उत्पाद शुल्क श्रेणी 'ख' में अधीक्षक प्रभाग चन्द्रपुर का दिनांक 3-3-1986 (पूर्वाह्न) को अपना कार्यभार ग्रहण किया।

[फ. स. II(3)1/86/स्था/23086]

रमेशकुमार आदिम, उप समाहर्ता
(कार्मिक और स्थापना)

Nagpur, the 18th March, 1986

NOTIFICATION No. 8/86

S.O. 1370.—Consequent upon his promotion as Superintendent Central Excise Group 'B', Shri V. S. Sadavarte Inspector Central Excise has assumed charge as Superintendent Central Excise Group 'B' Division Chandrapur on 3-3-1986 (F.N.)

[C. No. II(3)1/86/Et. I/23086]

R. K. AUDIM, Dy. Collector (P&E)

वाणिज्य मंत्रालय

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 18 मार्च, 1986

का. आ. 1371.—मैसर्स अम्बर बिस्कुट्स प्रा. लि. हैदराबाद को स्वतंत्र विदेशी मुद्रा के अंतर्गत संयुक्त राज्य अमेरिका से पूंजीगत माल के आयात के लिए 1,12,400/- रु. का एक आयात लाइसेंस पी/सी/जी/2098186, दिनांक 14-5-1985 दिया गया था।

2. पार्टी ने अब मुद्रा विनिमय प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनिमय प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत किए बिना और बिल्कुल उपयोग में लाए बिना खो गई / अस्थानस्थ हो गई है। कुल धनराशि जिसके लिये मुद्रा विनिमय प्रति की अनुलिपि प्रति अपेक्षित है 1,12,400/- रुपये है। पार्टी इस बात से सहमत है और वचन देता है कि यदि मूल मुद्रा विनिमय प्रति भिन्न जाती है तो वह रिकार्ड के लिए इस कार्यालय को उसे वापस लौटा देगा।

3. अपने तर्क के समर्थन में पार्टी ने आयात-निर्यात प्रक्रिया 1985—88 की पुस्तिका के पैरा 85—88 में अपेक्षित एक शपथ-पत्र प्रस्तुत किया है। अधोहस्ताक्षरी संतुष्ट है कि आयात लाइसेंस स. पी/सी/जी/2098186, दिनांक 14-5-1985 को मूल मुद्रा विनिमय प्रति खो गई है तथा निदेश देता है कि पार्टी को आयात लाइसेंस का मुद्रा विनिमय प्रति की अनुलिपि प्रति जारी की जाए। मूल मुद्रा विनिमय प्रति रद्द की जाती है।

4. आयात लाइसेंस की मुद्रा विनिमय प्रति की अनुलिपि अलग से जारी की जाती है।

[फाइल स. 560/28/84-85/सा. जॉ-4/918]

पाल बैक, उप मुख्य नियंत्रक, आयात निर्यात
कृते मुख्य नियंत्रक, आयात निर्यात

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 18th March, 1986

S.O. 1371.—M/s. Amber Biscuits Pvt. Ltd. Hyderabad were granted an import licence P/CG/2098186 dt. 14-5-85 for Rs. 1,12,400 for import of capital goods from U.S.A. under free foreign exchange.

2. The firm has now requested for issue of duplicate exchange copy. On the ground that original exchange copy has been lost/misplaced without having been registered with any Customs Authority and utilised at all. The total amount for which the duplicate Exchange Copy is now required is Rs. 1,12,400. The firm agrees and undertakes to return the original Exchange Copy if traced to this office for record.

3. In support of their contention the firm has furnished an affidavit as required in Para 85-88 of Hand Book of Import-Export Procedures 1985-88. The undersigned is satisfied that original Exchange Copy of import licence No. P/CG/2098186 dt. 14-5-85 has been lost and directs that duplicate Exchange Copy of Import Licence may be issued to the firm. The original Exchange Copy has been cancelled.

4. The duplicate Exchange Copy of import licence is issued separately.

[F. No. 560/28/84-85/CG-IV/918]

PAUL BECK, Dy. Chief Controller of Imports & Exports

for Chief Controller of Imports & Exports.

उद्योग मंत्रालय

(कंपनी कार्य विभाग)

नई दिल्ली, 21 मार्च, 1986

का. आ. 1372.—एकाधिकार तथा अवरोधक व्यापारिक व्यवहार अधिनियम, 1969 (1969 का 54) की धारा 26 की उप धारा (3) के अनुसरण में, केन्द्रीय सरकार एतद्वारा इस अधिसूचना के अनुलग्नक में उल्लिखित उपक्रमों के पंजीकरण को, उक्त उपक्रमों के वह उपक्रम होने पर, जिन पर उक्त अधिनियम के अध्याय-III के भाग क के उपबंध अब लागू नहीं होने हैं, के निरस्तीकरण को अधिसूचित करती है।

[सं. 16(12)86-एम.-3]

एल. सी. गोयल, अवसर सचिव

अधिसूचना सं. 16/12/86-एम-3 का अनुसूचक

क्रम सं.	उपक्रम का नाम	पंजीकृत पता	पंजीकरण संख्या
1	2	3	4
1.	डफ फार्मास्यूटिकल्स (इंडिया) लिमिटेड	ए-191, पीनया इस्टेट टुमकुर रोड, बंगलौर- 560058	2398/85
2.	दी टीटागुर जूट फैक्ट्री पी एल सी (पहले की टीटागुर जूट फैक्ट्री कम्पनी लिमिटेड)	41 ; रिफॉर्म स्ट्रीट इन्डी डी. डी. आई. आई. एस एच स्काटलैन्ड, ग्रेट ब्रिटेन	1550/81
3.	दी एंगुस कम्पनी लिमिटेड	2, क्लाइव रो कलकत्ता- 700001.	1552/81
4.	दी थिक्टोरिया जूट कम्पनी लिमिटेड	41, रिफॉर्म स्ट्रीट इन्डी- डी. डी. आई. आई. एस. एच. स्काटलैन्ड, ग्रेट ब्रिटेन	1551/81
5.	थामस डफ एंड कम्पनी (इंडिया) लिमिटेड	—अध्यापरि—	2400/85
6.	थामस डफ एंड कम्पनी (इंडिया) लि.	3 क्लाइव रो कलकत्ता- 70001.	2395/85
7.	दी समनगुर जूट फैक्ट्री कम्पनी लि.	41, रिफॉर्म स्ट्रीट इन्डी डी. डी. आई. आई. एस. एच. स्काटलैन्ड, ग्रेट ब्रिटेन	1553/81
8.	हिको प्रोडक्ट्स लि.	771-पंडित सातवलकर, मार्ग महीम, बम्बई- 400016.	1734/84

MINISTRY OF INDUSTRY

(Department of Company Affairs)

New Delhi, the 21st March, 1986

S.O. 1372.—In pursuance of Sub-section 3 of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of the undertakings mentioned in the Annexure to this notification, the said undertakings being undertakings to which the provisions of Part A Chapter III of the said Act no longer apply.

(No. 16/12/86-M. III)

L. C. GOYAL, Under Secy.

Annexure to the Notification No. 16/12/86. M-III

S. No.	Name of the Undertakings	Registered address	Registration No.
1.	Duff Pharmaceuticals (India) Limited.	A-191, Peenya Estate Tumkur Road, Bangalore-560058.	2398/85

1	2	3	4
2.	The Titaghur Jute Factory PLC (Formerly Titaghur Jute Factory Co. Ltd.)	41, Reform Street Dundee DDI ISH Scotland Great Britain.	1550/81
3.	The Angus Company Limited.	3, Clive Row, Calcutta-700001.	1552/81
4.	The Victoria Jute Company Ltd.	41, Reform Street Dundee DDI ISH Scotland, Great Britain.	1551/81
5.	Thomas Duff & Company Ltd.	-Do-	2400/85
6.	Thomas Duff & Company (India) Ltd.	3 Clive Row, Calcutta-700001.	2395/85
7.	The Samnagur Jute Factory Company Ltd.	41, Reform Street Dundee DDI ISH Scotland, Great Britain.	1553/81
8.	Hico Products Limited	771-Pandit Satavlekar Marg, Mahim, Bombay-400016.	1734/84

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 16 मार्च, 1986

का.आ. 1373:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस. एम. डी. सी. से जी. जी. एम. आई. तक पेट्रोलियम के परिवहन के लिए पाईपलाईन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों का बिछाने के प्रयोजन के लिए एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा धारित किया है।

बशर्ते कि उक्त भूमि में हितशब्द कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा, रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टता यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी को मार्फत।

अनुसूची

एस. एस. डी. सी. मे. जी. जी. एस. आई. तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात जिला — भरुच तालुका — हंसोट

गांव	ब्लॉक नं.	हेक्टेयर	ए.आई. सेन्टीयर
रोहित	470	0	43 54

[सं. O-12016/17/86 - ओ.एन.जी.-डी 4]

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 16th March, 1986

S.O. 1373.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SMDC to GGS I in Gujarat State pipeline should be laid by the Oil and Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from SMDC to GGS I.

State : Gujarat District : Bharuch Taluka : Hansot

Village	Block No.	Hec-tare	Are	Centi-tiare
Rohit	470	0	43	54

[No. O-12016/17/86-ONG-D4]

का. आ. 1374—यन: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जंक्शन पॉइन्ट से जी. जी. एस. IV तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यन: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एन.ए.डी. अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन.ए.डी. घोषित किया है।

अतः नि: उक्त भूमि में हिन.डी. कोई व्यक्ति उक्त भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सशम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सूचनाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जंक्शन पॉइन्ट से जी. जी. एस. 4 तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : मेहसाना	तालुका : कलोल		
गांव	ब्लॉक नं.	हेक्टेयर	आर	सेन्टीयर
धमासणा	882/1	0	01	12
	883/2	0	04	22
	882	0	05	26
	881	0	05	12

[सं. O-12016/26/86-आ. एन. जी.-डी 4]

S.O. 1374.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Junction Point to GGS IV in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas, Commission construction & Maintenance Division, Makarpura Road, Vadodara 390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipe line from Junction Point to GGS IV.

State : Gujarat District : Mehsana Taluka : Kalol

Village	Block No.	Hec-tare	Are	Centi-tiare
Dhamasana	883/1	0	01	12
	883/2	0	04	32
	882	0	05	26
	881	0	05	12

[No. O-12016/26/86-ONG-D-4]

नई दिल्ली, 20 मार्च, 1986

आ.का. 1375—यतः केन्द्रीय सरकार को यह प्रतीत है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी.जी.एस. I से जी.जी.एस. V तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल प्राकृतिक गैस आयोग द्वारा विछाई जानी चाहिए।

और यत यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्द्वारा घोषित किया है।

बर्णन कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी. जी. एस.-I से जी. जी. एस.-5

राज्य : गुजरात	जिला : मेहसाना	तालुका : कलोल		
गांव	ब्लॉक नं.	हेक्टेयर	आरे.	सेन्टीयर
1	2	3	4	5
ओला	73	0	01	92
	72	0	08	00
	82	0	04	00
	कार्टट्रेक	0	00	64
	71	0	23	88
	85	0	02	24
	87	0	11	36
	89	0	03	00
	88	0	02	00
	64	0	12	46
	118	0	06	24
	119	0	01	28
	121	0	06	80
	122	0	11	36
	141	0	12	16
	145	0	01	44
	143	0	01	44
	142	0	01	68
	140	0	02	16

1	2	3	4	5
	कार्टट्रेक	0	01	12
	138	0	22	64
	302	0	14	60
	कार्टट्रेक	0	01	92
	480	0	00	64
	477	0	13	40
	474	0	07	56

[मं. O-12016/43/86-ओ. एन. जी.-डी. -4]

New Delhi, the 20th March, 1986

S.O. 1375.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from G.G.S.I to G.G.S.V in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS I to GGS V

State : Gujarat District : Mehsana Taluka : Kalol

Village	Block No.	Hec-tare	Ac-re	Centi-tiare
OLA	73	0	01	92
	72	0	08	00
	82	0	04	00
	Cart track	0	00	64
	71	0	23	88
	85	0	02	24
	87	0	11	36
	89	0	03	00
	88	0	02	00
	64	0	12	46
	118	0	06	24
	119	0	01	28
	121	0	06	80
	122	0	11	36
	141		12	16
	145	0	01	44
	143	0	01	44
	142	0	01	68
	140	0	02	16
	Cart track	0	01	12
	138	0	22	64
	302	0	14	60
	Cart track	0	01	92
	480	0	00	64
	477	0	13	40
	474	0	07	56

[No. O-12016/43/86-ONG-D.4]

का. भा. 1376 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एस. 1 से जी.जी.एस.-7 तक पेट्रोलियम के परिवहन के लिये पाईपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वशातः कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाईन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी. जी. एस.-1 से जी. जी. एस. 7

राज्य : गुजरात	जिला : व	तालुका : गांधीनगर		
गांव	सर्वे मं.	हेक्टेयर	आरे.	सेन्टीयर
1	2	3	4	5
सेरथा	719	0	09	92
	722	0	04	64
	721	0	36	16
	738	0	40	64
	728	0	01	28
	727	0	01	28
कार्टट्रेक		0	03	20
346/2		0	00	30
347		0	02	30
355		0	02	65
353/2		0	00	80
354		0	01	28
356		0	02	37
357		0	01	84
358		0	01	02
363/1		0	00	90

1	2	3	4	5
	359/1	0	01	60
	360/1	0	02	90
	361	0	02	70
	कार्टट्रेक	0	00	20
	396	0	01	60
	395	0	01	44
	397/1	0	02	56
	397/2	0	02	44
	397/3	0	03	68
	398/1	0	03	68
	399	0	02	81
	400	0	04	40
	401	0	03	36
	402	0	02	78
	403	0	02	12
	404	0	01	97
	418/1	0	07	44
	418/2	0	02	88
	420	0	03	67
	कार्टट्रेक	0	00	32
	419	0	02	00
	425/2	0	08	44
	426	0	00	48

[सं. O.-12016/42/86-ओ. एन. जी.-डी. 4]

S.O. 1376.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from G.G.S.I to G.G.S.VII in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara, (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS I to GGS VII

State : Gujarat District & Taluka : Gandhinagar

Village	Survey No.	Hec- tare	Are	Can- tiare
1	2	4	5	
Sortha	719	0	09	92
	722	0	04	64
	721	0	36	16
	730	0	40	64
	720	0	01	28
	727	0	01	28
	Cart track	0	03	20
	346/2	0	00	30
	347	0	02	30
	355	0	02	65
	353/2	0	00	80
	354	0	01	28
	356	0	02	37
	357	0	01	84
	358	0	01	02
	363/1	0	00	90
	359/2	0	01	60
	360/1	0	02	90
	361	0	02	70
	Cart track	0	00	20
	396	0	01	60
	395	0	01	44
	397/1	0	02	56
	397/2	0	02	44
	397/3	0	03	68
	398/1	0	03	68
	399	0	02	81
	400	0	04	00
	401	0	03	76
	402	0	02	78
	403	0	02	12
	404	0	01	97
	418/1	0	07	44
	418/2	0	02	88
	420	0	03	67
	Cart Track	0	00	32
	419	0	02	00
	425/2	0	08	44
	426	0	00	48

[No. O-12016/42/86—ONG—D-4]

का.आ. 1377.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एस.-1 से टी. कनेक्शन तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसका सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की सहायता से।

अनुसूची

जी. जी. एस.-1 से टी. कनेक्शन

राज्य : गुजरात जिला व तालुका : गांधीनगर

गांव	सर्वे नं.	हेक्टेयर	आर.सेन्टीयर	
1	2	3	4	5
सेरथा	729/3	0	00	80
	729/4	0	06	56
	730/4	0	04	00
	738/4	0	07	32
	338/1	0	04	34
	335/7	0	04	80
	335/6	0	01	92
	335/5	0	01	12
	335/4	0	04	32
	3	0	01	30
	42	0	02	00
	4	0	06	00
	5/1	0	03	68
	7/2	0	05	50
	8/2	0	11	88
	9/1	0	00	65
	काटे ट्रैक	0	03	36
	1373/1/ए	0	04	80
	1375/3	0	00	25
	1374	0	09	72
काटे ट्रैक	1389/4	0	04	80
	1390/2/बी	0	07	69
	1390/2/ए	0	05	28
	1394/3/बी	0	00	32
	1395/7	0	00	48
	1395/1	0	12	42

1	2	3	4	5
	1395/4	0	01	80
	1395/3	0	08	63
	1407	0	09	72
	1405/1	0	06	61
	कार्ट ट्रैक	0	00	80
	1268/1	0	00	24
	1270/2	0	08	23
	1262/2	0	08	72
	1261	0	06	24
	1260	0	02	30
	1271/3/बी	0	00	32
	1259	0	11	62
	1258/2	0	12	59
	1273/3	0	03	00
	1258/1	0	01	44
	1256	0	02	00
	कार्ट ट्रैक	0	00	96
	1236	0	00	25
	1238/4	0	02	74
	1238/2	0	12	35
	1239/1	0	05	43

[सं. O-12016/41/86-ओएनजी-डी 4]

S.O. 1377.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from G.G.S. 1 to T. Connection in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra. (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline From GGS to T. Connection

State: Gujarat District & Taluka: Gandhinagar

Village	Survey No.	Hectare	Acre	Centiare
1		3	4	5
Sertha	729/3	0	00	080
	729/4	0	06	56
	738/4	0	04	00
	738/4	0	07	32

1	2	3	4	5
	338/1	0	04	34
	335/7	0	04	80
	335/6	0	01	92
	335/5	0	01	12
	335/4	0	04	32
	3	0	01	30
	42	0	02	00
	4	0	06	00
	5/1	0	03	68
	7/2	0	05	50
	8/2	0	11	88
	9/1	0	00	65
	Cart track	0	03	36
	1373/1/A	0	04	80
	1375/3	0	00	25
	1374	0	09	72
	Cart track	0	00	72
	1389/4	0	04	80
	1390/2/B	0	07	69
	1390/2/A	0	05	28
	1394/3/B	0	00	32
	1395/7	0	00	48
	1395/1	0	12	42
	1395/4	0	01	80
	1395/3	0	08	63
	1407	0	09	72
	1405/1	0	06	61
	Cart Track	0	00	80
	1268/1	0	00	24
	1270/2	0	08	23
	1262/2	0	08	72
	1261	0	06	24
	1260	0	02	30
	1271/3/B	0	00	32
	1259	0	11	62
	1258/2	0	12	59
	1273/3	0	03	00
	1258/1	0	01	44
	1256	0	02	00
	Cart Track	0	00	96
	1236	0	00	25
	1238/4	0	02	74
	1238/2	0	12	35
	1239/1	0	05	43

[No. O-12016/41/86-ONG-D-4]

का. आ. 1378.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी.जी.एस-I से जी.जी.एस-V तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपायद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी.जी.एस-I से जी.जी.एस. V तक पाइप लाइन बिछाने के लिए।

राज्य :- गुजरात जिला :- मेहसाना तालुका :- कलोल

गाँव	ब्लॉक नं.	हेक्टर	आर सेंटीयर
आरसोडिया	44	0	04 90
	45	0	04 09
	41	0	08 10
कार्ट ट्रक	0	00	97
	82	0	05 71
	35	0	09 37
	87	0	12 00
	34	0	04 31
	31	0	03 20
	106	0	05 89
कार्ट ट्रक	0	00	64
	130	0	00 80
	131	0	17 92
	162	0	09 28
	163	0	05 49
	157	0	00 20
	182	0	07 08
	183	0	03 42
	184	0	04 14
	179	0	16 02
	190	0	12 71
	188	0	01 22
	191	0	05 03
	192	0	01 77

[सं. O-12016/25/86-ओएनजी-डी 4]

पी. के. राजगोपालन, डेस्क अधिकारी

S.O. 1378.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from G.G.S. I to G.G.S. V in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land)

Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodra, (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS I to GGS V
State: Gujarat District: Mehsana Taluka : Kalol

Village	Block No.	Hec-tare	Are	Centiare
Arsodia	44	0	04	90
	45	0	04	09
	41	0	08	10
	Cart track	0	00	97
	82	0	05	71
	35	0	09	37
	87	0	12	00
	34	0	04	31
	31	0	03	20
	106	0	05	89
	Cart track	0	00	64
	130	0	00	80
	131	0	17	92
	162	0	09	28
	163	0	05	49
	157	0	00	20
	182	0	07	08
	183	0	03	42
	184	0	04	14
	179	0	16	02
	190	0	12	71
	188	0	01	22
	191	0	05	03
	192	0	01	77

[No. O-12016/25/86-ONG-D4]
P.K. RAJAGOPALAN, Desk Officer

नई दिल्ली, 24 मार्च, 1986

का.आ. 1379.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा बरेली-जबदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद् पाइप अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद् द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, सखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति: विनिर्दिष्ट: यह भी ध्यान करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मदद से।

अनुसूचक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गांवा सं.	क्षेत्रफल
1	2	3	4	5	6
फरुखाबाद	छिब्रामऊ	तालग्राम	बटई	315	0-02

[सं. O-14016/542/84-जी. पी.]

New Delhi, the 24th March, 1986

S.O. 1379.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H. B. J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in Acres
1	2	3	4	5	6
Farukha-Bad	Chhibra-Mau	Talgram	Baral	315	0-02

[No. O-14016/542/84-G.P.]

का.आ. 1380.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजोरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का प्रस्ताव आशय एतद्द्वारा घोषित किया है।

वसतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आवेदन समक्ष प्राधिकारी, भारतीय गैस

प्राधिकरण लि. बी-58/बी, अलिगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी ध्यान करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मदद से।

हजोरा-बरेली जगदीशपुर पाइप लाइन प्रोजेक्ट

अनुसूची

जिला	परगना	तहसील	ग्राम का नाम	गांवा सं.	क्षेत्रफल रकबा
1	2	3	4	5	6
इटावा	औरिया	औरिया	खरका	511	0-35

[सं. O-14016/50/84-जी पी.]

S.O. 1380.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Hajira Bareilly Jagdishpur Pipe Line Project

SCHEDULE

Distt.	Pargana	Tehseel	Village	Plot No.	Area Acquired
1	2	3	4	5	6
Etawah	Auriya	Auriya	Kherka	511	0-35

[No. O-14016/50/84-GP]

का.आ. 1381.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजोरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का प्रस्ताव आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवस्थायी की मार्फत।

हजिरा-बरेली, जगदीशपुर पाइप लइन प्रोजेक्ट

अनुसूची I

जिला	परगना	तहसील	ग्राम का नाम	गाटा सं.	लिया गया रकबा
1	2	3	4	5	6
इटावा	औरैया	औरैया	लहोखर	196	0-83

[सं. O-14016/321/84-जीपी]

S.O. 1381.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Hajira Bareilly Jagdishpur Pipe Line Project

SCHEDULE

Distt.	Pargana	Tehseal	Village	Plot No.	Area Acquired
1	2	3	4	5	6
Etawah	Auriya	Auriya	Lohokhar	196	0-83

[No. O-14016/321/84-GP]

का.अ. 1382.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय

सरकार ने उस में उपयोग का अधिकार अर्जित करने का आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवस्थायी की मार्फत।

हजिरा-बरेली जगदीशपुर पाइप लइन प्रोजेक्ट

अनुसूची

जिला	परगना	तहसील	ग्राम का नाम	गाटा सं.	लिया गया रकबा
1	2	3	4	5	6
इटावा	औरैया	औरैया	दौलतपुर	619	0-25
				703	0-05
				219	0-03

[सं. O-14016/335/84-जीपी]

S.O. 1382.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Hajira Bareilly Jagdishpur Pipeline Project

SCHEDULE

Distt.	Pargana	Tehseel	Village	Plot No.	Area Acquired
1	2	3	4	5	6
Etawah	Auriya	Auriya	Daulat Pur	619	0-25
				703	0-05
				219	0-03

[No. O-14016/335/84-GP]

का.अ. 1383.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतद्पाद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

हजारा बरेली, जगदीशपुर पाइप लाइन प्रोजेक्ट

अनुसूची

जिला	तहसील	परगना	ग्राम का नाम	गांटा सं.	लिया गया रकबा
1	2	3	4	5	6
इटावा	औरीया	औरीया	पीपरपुर	28	0-10

[सं. O-14016/431/84-जीपी]

S.O. 1383.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Hajira Bareilly Jagdishpur Pipe Line Project

SCHEDULE

Distt.	Pargana	Tahsil	Village	Plot No.	Area Acquired
1	2	3	4	5	6
Etawah	Auriya	Auriya	Peperpur	28	0-10

[No. O-14016/431/84-GP]

का.अ. 1384:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजारा बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जाय।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतद्वत्त अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों को प्रयोग करते हुए, केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गांटा सं.	क्षेत्रफल
1	2	3	4	5	6
फरुखाबाद	छिब्रामऊ	तालग्राम	पंगवा	796	0-11
				955	0-43
				972	2-60

[सं. O-14016/532/84-जी पी]

S.O. 1384.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226010, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Farukha-	Chhibra-	Talgram	Panga-	796	0-11
bad	Mau		wan	955	0-43
				972	2-60

[No. O-14016/532/84-GP]

का.अ. 1385:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजारा बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए

पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाठ्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद् कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक बाध अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
फर्रुखाबाद	छिब्रामऊ	सकतपुर	बनगीच	1159	0-01
				1162	0-01
				1482	0-24
				1156	0-02

[सं. O-14016/545/84-जी पी]

S.O. 1385.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Farrukhabad	Chhibra Mau	Sakat Pur	Banga Wan	1159	0-01
				1162	0-01
				1482	0-24
				1156	0-03

[No. O-14016/545/84-GP]

का. आ. 1386:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तबः पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाठ्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद् कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक बाध अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
फर्रुखाबाद	छिब्रामऊ	तामगांग	तमिधामऊ	351	0-12
				659	0-03
				732	0-01
				932	0-02

[सं. O-14016/106/85-जी पी]

S.O. 1386.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in Acres
1	2	3	4	5	6
Farukhabad	Chhibra Mau	Talgram	Tamia Mau	351	0-12
				659	0-03
				732	0-01
				932	0-02

[No. O-14016/106/85-GP]

का. आ. 1387.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बतर्क कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुरक्त वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
कन्नौज	छिन्नमऊ	सौरिख	नादमऊ	1942	0-18

[सं. O-14016/115/85-जीपी]

S.O. 1387.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Farukhabad	Chhibra Mau	Sourikh	Nade Mau	1942	0-18

[No. O-14016/115/85-GP]

का. आ. 1388.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बतर्क कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुरक्त वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
हरदोई	बिलग्राम	कटियारी	वहेलिया	3265	0-0-05
				3271	00-10

[सं. O-14016/234/85-जीपी]

S.O. 1388.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Dahelia	3265	0-0-05
				3271	0-0-10

[No. O-14016/234/85-GP]

का. भा. 1389.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी साधनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी/58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल वर्ग बि.वि.
1	2	3	4	5	6
हरदोई	बिलग्राम	कटियारी	बरामऊ	312	0-10-0
			सीताबा		

[स. O-14016/236/85-जीपी]

S.O. 1389.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, It exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Baramau	312	0-10-0
			Sitala		

[No. O-14016/236/85-GP]

का. भा. 1390.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी साधनों को बिछाने के प्रयोजन के लिए एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक वाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल वर्ग बि.वि.
1	2	3	4	5	6
हरदोई	बिलग्राम	कटियारी	बम्हरीली	349	0-15-0

[स. O-14016/238/85-जी पी.]

S.O. 1390.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Bambroli	349	0-15-6

[No. O-14016/238/85-GP]

का. भा. 1391.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58 बी, अलीगंज, लखनऊ-226 020 यू. पी. कोई इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक बाध अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बि.बि.कि.
1	2	3	4	5	6
हर्दोई	बिलग्राम	कटियारी	मुरजपुर बुर्जना पंजशाहा	279 280	0-18-0 0-2-10

[सं. O-14016/255/85-जी पी]

S.O. 1391.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6

Hardoi	Bilgram	Katiyari	Surajpur Durjana Panjsala	279Kha 280	0-18-0 0-2-10
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[No. O-14016/255/85-GP]

का. भा. 1391.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58 बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक बाध अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बि. बि.कि.
1	2	3	4	5	6
हर्दोई	बिलग्राम	कटियारी	डिहजन	9	0-1-0

[सं. O-14016/271/85-जी पी]

S.O. 1392.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Didwan	9	0-1-0

[No. O-14016/271/85-GP]

का. भा. 1393.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक बाव अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बी. वि. वि.
1	2	3	4	5	6
हर्दोई	बिलग्राम	कटियारी	मुंडेर	1475	0-0-5
				1531	0-0-5
				141	0-0-5
				1430	0-0-5
				1481	0-0-5

[सं. O-14016/276/85-जीपी]

S.O. 1393.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Munder	1475	0-0-5
				1531	0-0-5
				141	0-0-5
				1430	0-0-5
				1481	0-0-5

[No. O-14016/276/85-GP]

का. भा. 1394.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक बाव अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बी. वि. वि.
1	2	3	4	5	6
हर्दोई	बिलग्राम	कटियारी	श्यामपुर	184	1-5-0

[सं. O-14016/306/85-जी पी]

S.O. 1394.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226010, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Shyam Pur	184	1-5-0

[No. O-14016/306/85-GP]

का. प्रा. 1395.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइन को बिछाने का प्रयोजन के लिए एतदुपाय्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रवक्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक वाय अनुसूची

एच.बी.जे.गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बी. बि. बि.
1	2	3	4	5	6
हजौरी	बिलग्राम	कटियारी	रुक्मपुरा	171	0-0-0.5

[सं. O-14016/345/85-बी पी]

S.O. 1395.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Bilgram	Katiyari	Dhakpura	171	0-0-05

[No. O-14016/345/85-GP]

का. प्रा. 1396 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक वाय अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहाँपुर	सहर	कोट	अलिगंज	14	— 90

[सं. O-14016/356/85-जीपी]

S.O. 1396.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition or Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shahjhan Pur	Sadar	Kant	Aliapur	14	~ 90

[No. O-14016/356/85-GP]

का.मा. 1397:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजारा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रजन) [अधिनियम, 1962] (1962 का 50) की उपधारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद् कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक बाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाट सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहापुर	सदर	काट	खमरिया	102	0-12

[सं. O-14016/360/85-जी पी.]

S.O. 1397.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shahjhan Pur	Sadar	Kant	Khamarya	102	0-12

[No. O-14016/360/85-GP]

का.मा. 1398:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजारा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रजन) अधिनियम, 1962] (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद् कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक बाद अनुसूची

एच.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाट सं.	क्षेत्रफल
				वा. वि. वि.	
1	2	3	4	5	6
हरदोई	शाहबाद		मानपारा	374	0 0 10

[सं. O-14016/361/85-जी पी.]

S.O. 1398.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Shahabad		Manpara	374	0-0-10

[No. O—14016/361/85-GP]

का.आ. 1399.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदपवाद अनुसूची में वर्णित भूमि में उपयोग का अधिकार करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हिनबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप मक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी बिधि व्यवसायी की मार्फत।

अनुसूची वादी अनुसूची

एन.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल बी. वि. वि
1	2	3	4	5	6
हजारी	शाहबाद	अरबखी		909	0 2 0

[सं. O—14016/362/85-जी पी]

S.O. 1399.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in B-B-B
1	2	3	4	5	6
Hardoi	Shahabad		Bharkhni	909	0-2-0

[No. O—14016/362/85-GP]

का.आ. 1400.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदपवाद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हिनबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप मक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी बिधि व्यवसायी की मार्फत।

अनुसूची वादी अनुसूची

एन.बी.जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहापुर	सदर	काट	बन्या	179	0 10

[सं. O—14016/378/85-जी पी]

S.O. 1400.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto:

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., H.B.J. Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Jhahjhan- Pur	Sadar	Kant	Barawa Bujurg	179	0-10

[No. O—14016/378/85-GP]

का.आ. 1401.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन एतदुपायध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अर्जित कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबार्ड व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

अनुपद	तहसील परगना		ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहांपुर	सदर	कांट	धारपुर	1338	0 06

[सं. O—14016/381/85—जी पी]

S.O. 1401.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah- Jhanpur	Sadar	Kant	Yarpur	1338	0-06

[No. O140016-381/85-GP]

का.आ. 1402.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपायध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

अर्जित कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबार्ड व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहांपुर	सदर	कांठ	नगरिया	348	0 15
			भालसपुर		

[सं. O—14016/384/85—जी पी]

S.O. 1402.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tansil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jhanpur	Sadar	Kant	Nagariya Alampur	348	0-15

[No. O-14016/384/85-GP]

का. प्रा. 1403 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी ज़मीनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति उन भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक याव अनुसूची

एम. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शहजहाँपुर	सदर	जमौर	किशुरहाई	435	0 01
				566	0 02

[सं. O-14016/385/85-जी पी.]

S.O. 1403.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

1740 G1/85—5

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tehsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jhanpur	Sadar	Jamour	Kishur Haje	435	0-0
				566	0-02

[No. O-14016/385/85-GP]

का. प्रा. :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी ज़मीनों की बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति उन भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुपूरक याव अनुसूची

एम. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शहजहाँपुर	सदर	जमौर	गंधार	1229	0-02
				1301	0-02

[सं. O-14016/385/85-जी. पी.]

S.O. 1404.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow 226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jahanpur	Sadar	Jamour	Gandhar	1229 1301	0-02 0-02

[No. O-14016/395/85-GP]

का.आ. 1405:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी ज़ाहनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित कर का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवन्त कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सभन प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी. 58/बी, भलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक बाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहांपुर	सदर	काट	मुकुन्दपुर	10	0-08

[सं. O-14016/397/85-जी. पी.]

S.O. 1405.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

(Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jahanpur	Sadar	Kant	Mukund Pur	10	0-08

[No. O-14016/397/85-GP]

का.आ. 1406:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी ज़ाहनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवन्त कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सभन प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, भलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक बाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहांपुर	सदर	काट	सिकरहान	135	0-09
				76	0-02
				195	0-05

[सं. O-14016/405/85-जी. पी.]

S.O. 1406.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to

the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jahanpur	Sadar	Kant	Sikrahan	135	0-09
				76	0-02
				195	0-05

[No. O-14016/405/85-GP]

का. भा. 1407.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजोरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बगलें कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक बाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहपुर	नदर	कांट	वांमखेड़ा	22	0-04
				393	0-02
				382	0-01
				कुल : 0-07	

[सं. O-14016/407/85-जी. पी.]

S.O. 1407.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Barilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)
H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Areas in acres
1	2	3	4	5	6
Shah- jahanpur	Sadar	Kant	Bans	22	0-04
			Khara	393	0-02
				382	0-01
			Total		0-07

[No. O-14016/407/85-GP]

का. भा. 1408.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजोरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बगलें कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूचक बाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहाँपुर	नदर	कांट	पलहोरा	1837	0-02
				248	0-30
				855	0-02

[सं. O-14016/411/85-जी. पी.]

S.O. 1408.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jahanpur	Sadar	Kant	Palhoura	1837	0-2
				248	0-30
				855	0-02

[No. O-14016/411/85-GP]

का.आ. 1409 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए ।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना प्राण्य एतद्वारा घोषित किया है ।

अतः कि उक्त भूमि में हितवश कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सभ्य प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ 226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत ।

अनुसूचक वाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहांपुर	तिलहर	खेरा	बिर्का		
		बसेडा	पुर	563	-01

[सं. O-14016/412/85-जी. पी.]

S.O. 1409.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-	Tilhar	Khera	Milkpur	563	0-01
		Bajhera			

[No. O-14016/412/85-GP]

का. आ. 1410 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए ।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना प्राण्य एतद्वारा घोषित किया है ।

अतः कि उक्त भूमि में हितवश कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सभ्य प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत ।

अनुसूचक बाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहाँपुर	तिलहर	खेड़ा- बजेड़ा	हमीपुर कौमी पुर	285	0-01

[सं. O-14016/414/85-जी. पी.]

S.O. 1410.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Area in Plot No.	acres
1	2	3	4	5	6
Shah-jahanpur	Tilhar	Khera Bajera	Hemipur Komipur	285	0-01

[No. O-14016/414/85-GP]

का. भा. 1411:—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशय प्रकट प्राधिकारी, भारतीय गैस प्राधिकरण लि. जी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिश्चिततः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसको मुनाफा व्यक्तिगत रूप से हो या किसी विधि व्यवसायी के माफ़ेत।

अनुसूचक बाद अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहाँपुर	तिलहर	खेड़ा बजेड़ा	ताहपुर जारेपुर	143	0-02

[सं. O-14016/425/85 जी. पी.]

S.O. 1411.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jahanpur	Tilhar	Khera Bajhera	Taharpur Jadowpur	143	0-02

[No. O-14016/425/85-GP]

का. भा. 1412:—यह: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बगैँ कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति बिनिर्विष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एच. बी. जे. गैस पाइप लाइन प्रोजेक्ट

जनपद	तहसील	परगना	ग्राम	गाटा सं.	क्षेत्रफल
1	2	3	4	5	6
शाहजहाँपुर	तिलहर	तिलहर	बन्धीचक	137	0-0 2

[सं. O-14016/433/85-जी. पी.]

S.O. 1412.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Supplementary Case (Schedule)

H.B.J. Gas Pipe Line Project

District	Tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Shah-jahanpur	Tilhar	Tilhar	Bandhi chak	137	0-02

[No. O-14016/433/85-G P]

का. प्रा. 1413:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने का प्रयोजन के लिए एतदुपायवद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः शव पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय

सरकार ने उस में उपयोग का अधिकार अर्जित करने का प्रयत्न आयाज एतद्वारा घोषित किया है।

अतः कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति बिनिर्विष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

हाजिरा-बरेली-जगदीशपुर पाइप लाइन प्रोजेक्ट

अनुसूची

जिला	परगना	तहसील	ग्राम का नाम	गाटा सं.	लिया गया रकबा
1	2	3	4	5	6
इटावा	औरिया	औरिया	सोभेमाऊ	1037	0-16

[सं. O-1406/437/85-जी. पी.]

एम० एस० अतिरिक्त, निदेशक (एम० जी०)

S.O. 1413.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. HBJ Pipeline Project B-58/B, Aliganj, Lucknow-226020 U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Hajira Bareilly Jagdishpur Pipe Line Project

Schedule

Distt.	Pargana	Tahsil	Village	Plot No.	Area Acquired
Etawam	Auriya	Auriya	Sodhy Maury	1037	0-16

[No. O-14016/437/85-GP]

M. S. Srinivasan, Director (N G)

कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 19 मार्च, 1986

का. प्रा. 1414:—पशुधन आयात अधिनियम, 1898 (1898 का 9) के खंड 3 के उपखंड (1) और खंड 2 की धारा (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह अधिसूचित करती है कि "पशुधन" शब्द के अंतर्गत कुककट पालन और अण्डे का सेवन भी शामिल होगा और संयुक्त राज्य अमेरिका में हाल ही में हुई पक्षी प्रतिस्पर्धा

को देखते हुए उस देश से प्योर लाइन और ग्रांड पैरेंट स्टॉक, अण्डों के सेचन सहित कुक्कट के भारत में आयात की इस अधिसूचना के जारी होने की तारीख से 6 माह की अवधि के लिए निषेध करती है।

[सं. 50-4/84-एल.डी.टी. (ए.क्यू.)]

एस. पी. वर्मा, अवर सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture & Cooperation)

New Delhi, the 19th March, 1986

S.O. 1414.—In exercise of the powers conferred by clause (b) of section 2 and sub-section (1) of section 3 of the Livestock Importation Act, 1898 (9 of 1898), the Central Government hereby notifies that the word 'Livestock' shall cover poultry and hatching eggs also and does hereby prohibit for a period of six months from the date of issue of this notification the import into India of poultry including pipeline and grandparent stock, hatching eggs, from the United States of America in view of recent outbreaks of Avian Influenza in that country.

[No. 50-4/84-LDT(AQ)]

S. P. VERMA, Under Secy.

(ग्रामीण विकास विभाग)

नई दिल्ली, 19 मार्च, 1986

का. आ. 1415 :—राष्ट्रपति जी, केन्द्रीय सिविल सेवा (सी.सी.ए.) नियमावली, 1965 के नियम 12 के तहत प्रदत्त शक्तियों का प्रयोग करते हुए श्रीमती अनिता चौधरी जो इस समय कृषि विपणन सलाहकार (विपणन तथा निरीक्षण निदेशालय) के रूप में कार्य कर रही हैं, को कृषि विपणन सलाहकार के पद पर नियमित पदधारी की नियुक्ति होने तक विपणन तथा निरीक्षण निदेशालय के सामान्य केन्द्रीय सेवा के वर्ग "ख" के पदों के संबंध में अनुशासनिक प्राधिकारी (तदर्थ) के रूप में नियुक्त करते हैं।

[संख्या सी-31018/5/85-सतर्कता]

वि. रामाचन्द्रन, निदेशक (प्रशासन)

(Department of Rural Development)

New Delhi, the 19th March, 1986

S.O. 1415.—In exercise of the powers conferred under Rule 12 of C.C.S. (CCA) Rules, 1965, the President is pleased to appoint Smt. Anita Chaudhary presently acting as Agricultural Marketing Adviser (of Directorate of Marketing and Inspection) as the Disciplinary Authority (ad-hoc) in respect of Group 'B' posts of General Central Services of the Directorate of Marketing & Inspection till a regular incumbent in the post of Agricultural Marketing Adviser is appointed.

[No. C. 31018/5/85-Vig.]

V. RAMACHANDRAN, Director (A)

परिवहन मंत्रालय

(जल-भूतल परिवहन विभाग)

(नौवहन पक्ष)

नई दिल्ली, 7 मार्च, 1986

का. आ. 1416:—केन्द्रीय सरकार, केन्द्रीय दीपघर सलाहकार समिति (प्रक्रियात्मक) नियम, 1976 के नियम 3 के साथ पठित दीपघर अधिनियम, 1927 (1927 का 17) की

4 की उपधारा (1) के अनुसरण में तत्कालीन नौवहन और परिवहन मंत्रालय (नौवहन पक्ष) भारत सरकार की 30-12-1983 को जारी यथावसर संशोधित अधिसूचना सं. 221 जिसका प्रकाशन 21-1-1984 को हुआ था, उसके द्वारा नियुक्त केन्द्रीय दीपघर सलाहकार समिति को कार्य अवधि को 31 दिसम्बर, 1985 से छह महीनों की अवधि के लिए अथवा नई समिति के गठन होने, इनमें जो भी पहले हो, तब तक के लिए बढ़ाती है।

[सं. एस. डब्ल्यू./एल.एल.ई.—16/85(एसएल.)]

सुदेश कुमार, अवर सचिव

MINISTRY OF TRANSPORT

(Department of Surface Transport)

(Shipping Wing)

New Delhi, the 7th March, 1986

S.O. 1416.—In pursuance of sub-section (1) of section 4 of the Lighthouse Act, 1927 (17 of 1927) read with Rule 3 of the Central Advisory Committee for Lighthouses (Procedural) Rules, 1976, the Central Government hereby extends the tenure of the Central Advisory Committee for Lighthouses appointed vide the Notification of Government of India in the then Ministry of Shipping and Transport (Shipping Wing) issued on 30-12-1985 and published vide S.O. No. 221 dated 21-1-1984, as amended from time to time, for a further period of six months with effect from 31st December, 1985 or till such time as the new Committee is reconstituted, whichever is earlier.

[No. SW/LLE-16/85(SL)]

SUDESH KUMAR, Under Secy.

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 24 मार्च, 1986

का. आ. 1417.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने पेडप्पम्पट्टी, जल्ली-रत्ती, तिरु, त्रुककालिकुन्दरम, कोमल, किलियानुर, वाडक्राई, मन्लमेडु तथा शंकरन पंडाल टेलीफोन केन्द्रों, तमिलनाडु में दिनांक 10-4-1986 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[संख्या 5-28/86-पे एच बी]

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 24th March, 1986

S.O. 1417.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1961, as introduced by No. 627 dated 8th March 1960, the Director General, Department of Telecommunications, hereby specifies 10-4-1986 as the date on which the Measured Rate System will be introduced in Pedappampatti, Jallipatti, Tirukkalikundram, Soltanper, Komal, Killianur, Vadakrai, Mahalmedu and Sankaram Pandal Telephone Exchanges, Tamil Nadu Circle.

[No. 5-28/86-PHB]

का. आ. 1418.—स्थायी आदेश संख्या 672, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के प्रनुसार सहायक महानिदेशक, दूरसंचार विभाग ने गनापावरम टेलीफोन केन्द्र, मध्याप्रदेश, में दिनांक 10-4-1986 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-30/86-पी एच बी]

के. पी. शर्मा, सहायक महानिदेशक,
(पी. एच. बी.)

S.O. 1418.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March 1960, the Director General Department of Telecommunications, hereby specifies 10-4-86 as the date on which the Measured Rate System will be introduced in Ganapavaram Telephone Exchange, Andhra Pradesh Circle.

[No. 5-30/86-PHB]

K. P. SHARMA, Asstt. Director General(PHB)

अनू संजीव

नई दिल्ली, 19 मार्च, 1986

का. आ. 1419.—मैसर्स एग्रीकलचरल फाईनेंस कार्पोरेशन लिमिटेड, धनराज महल, प्रथम मंजिल, सी. एस. एम. मार्ग, बम्बई (एम. एच./18863) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् अभिदाय या प्रीमियम का संदाय किये बिना ही , भारतीय जीवन बीमा निगम को सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहवृद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और उक्त उपावृद्ध प्रनुक्तों में विनिर्दिष्ट गतियों के अधीन रहते हुए, उक्त स्थापन को नीचे वर्णित शर्तों के अधीन उक्त स्कीम के सभी आबंटनों के प्रवर्तन से छूट देने का निर्णय किया है।

अनुसूची

1. उक्त स्थापन के पक्षधर में नियोजक प्रादेशिक भविष्य निधि आयुक्त, बम्बई को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐन निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिनके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रसारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन को भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दिशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, बम्बई के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं तो, यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को

व्यपगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यक्तिगत दशा में उन मृत सदस्यों के नाम निर्देशितियों वा विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते। बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस.-35014/121/86-एस. एस.-2]

MINISTRY OF LABOUR

New Delhi, the 19th March, 1986

S.O. 1419.—Whereas Messrs Agricultural Finance Corporation Limited Dharmraj Mahal, 1st Floor, C.S.M. Marg, Bombay (Maharashtra) (MH/18863), (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Bombay maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

1740 GI/86-6.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Bombay and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014(121)/86-SS-II]

का. आ. 1420:—मैसर्स इंगलिश इण्डियन कालेज लिमिटेड, वेली त्रिवेन्द्रम (केरला) के. आर./2879) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 का 19 (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन

फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुमूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, केरला को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक माम की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा (3-क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाये, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी वास्तव आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा

में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, केरला के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश स्थापन के कर्मचारी भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं तो, यह रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक उस निगम तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को व्यपगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यतिक्रम की दशा में उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो, उक्त स्कीम के अन्तर्गत होते। बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एत.-35014/120/86-एस. एस.-2]

S.O. 1420.—Whereas Messrs. English Indian Clays Limited, Veli, Trivandrum-695021 (Kerala) (KR/2879), (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premiums, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto,

the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Kerala maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Kerala and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any

case within one month from the receipt of claim complete in all respects.

[No. S-35014/120/86-SS-III]

का. आ. 1421 - मैसर्स थयारागार मिल्स कप्पातूर, जिला मदुराई तमिलनाडु (टी. एन./1049) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा 2(क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का संसाधन हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुभोग्य है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. तारीख 11-12-1982 के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 22-1-1986 से तीन वर्ष की अवधि के लिए जिसमें 21-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त, तमिलनाडु को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देय रकम उस रकम से कम है जो कर्मचारी की उस दशा में सन्देय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भाष्य निधि आयुक्त, तमिलनाडु के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का मुक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिस स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रमियम के सन्दाय में किए गए किसी व्यक्तिगत की दशा में, उन गृत सदस्यों के नाम-निर्देशिनियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशिनी/विधिक वारिसों को उस राशि का

सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस.-35014/288/82-पी. एफ.-2/एस. एस.-2]

S.O. 1421.—Whereas Messrs, Thiagarejar Mills, Kappatur, District Madurai, Tamil Nadu (TN|1049), (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premiums, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 604 dated the 11-12-1982 and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 22-1-86 upto and inclusive of the 21-1-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such return to the Regional Provident Fund Commissioner, Tamil Nadu and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/288/82-PF. II (SS. IV)]

का. आ. 1422-मैसर्स ओरियण्टल इम्पोर्टर्स और एक्सपोर्टर्स, पी. बी. नं. 36, लक्ष्मी निवास, जयन्दागंज, ग्वालियर-474009 मध्य प्रदेश (एम. पी./1045) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिमूचना संख्या का. आ. 398 तारीख 9-12-1982 के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 15-1-1986 से तीन वर्ष की अवधि के लिए जिसमें 14-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक साल की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अनुरण, निरीक्षण प्रभारों का सन्दाय आदि भी हैं, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित बीमा स्कीम के नियमों को एक प्रति, और जहां कभी उनमें संशोधन किया जाए, तब उस संशोधन को प्रति तथा कर्मचारियों की बहुसंख्या को भाषा में उसको मुख्य बातों का अनुवाद, स्थापन के सूचना-पट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरंत दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिवक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अंतर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो।

वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का संदाय करने में असफल रहता है, तो पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यक्तिक्रम की दशा में, उन मृत-सदस्यों के नाम-निर्देशनियों या विधिक वारिसों को जो यदि वह, छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य को मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हज़दार नामनिर्देशित/विधिक वारिसों को उस राशि का संदाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस.-35014/299/82-पी.एफ. 2/एस.एस.-2]

S.O. 1422.—“Whereas Messrs. Oriental Importers and Exporters PB No. 36, Laxmi Niwas, Jayendra Ganj, Gwalior-474009 (MP/1045) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 398 dated the 9-12-1982 and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 15-1-1986 upto and inclusive of the 14-1-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No S-35014/299/82-PF. II (SS. IV)]

का. आ. 1423:—मैसर्स प्रतिभा एडवर्टाइजिंग, 13-ए, कार्बो रोड कीडरुड, पूर्ण (एम. एच./6669) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना हो, भारतीय जीवन बीमा निगम को जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 743 तारीख 18-12-1982 के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 29-1-1986 से तीन वर्ष की अवधि के लिए जिसमें 28-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त पूर्ण को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या का भाषा में उसक मध्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन

का भविष्य निधि का पहलू है, सदस्य है, उसके स्थापन में नियोजन किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिस से कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देय रकम उस राशि से कम है जो कर्मचारी को उस दशा में सन्देय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिता को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त पूर्ण के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशिता/विधिक वारिसों को उस राशि का सन्दाय तत्पश्चात् और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एच. -35014/295/82-पी. एफ. -2/एस. एस. -2]

S.O. 1423.—Whereas Messrs Pratibha Advertising, 13-A Karve Road, Kothrud, Pune (MH/6669), (hereinafter referred to as the said establishment) have applied for exemption sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 743 dated the 18-12-1982 and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 29-1-86 upto and inclusive of the 28-1-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Poona maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Poona and where any amendment is likely to effect adversely the

interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemptions, be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/295/82-PF. II (SS. II)]

का. आ. 1424:—मैसर्स डाक्टर बैक एन्ड कम्पनी (इन्डिया) लिमिटेड, 147 बाम्बे पूणे रोड, पो. आ. पिम्परी, पुना-18 जिसमें उसकी ग्रन्थकलेश्वर स्थित शाखा भी शामिल है (एम.एच./6549) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुजेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 730 तारीख 17-12-1982 के अनुसरण में और इससे उपावद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 29-1-1986 से तीन वर्ष की अवधि के लिए जिसमें 28-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त महाराष्ट्र को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रश्नारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रश्नारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का बहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं, तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिस से कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात को होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के वर्गीकृत सन्देश्य रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्देश्य होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त महाराष्ट्र के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना

हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशितों/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/309/82-पी.एफ.-2/एस.एस2]

S.O. 1424.—Whereas Messrs Dr. Beck and Company (India) Limited 147 Bombay Poona Road, PO-Pimpri, Poona-18 including its branch at Andkleshwar (MH/6549) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premiums, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 730 dated the 17-12-1982 and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 29-1-1986 upto and inclusive of the 28-1-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Maharashtra maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Maharashtra and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/309/82-PF. II (SS. II)]

का. आ. 1425. :—मैसर्स महेंद्रा ओवले लिमिटेड, 153 वास्को पूणे रोड पिम्परी पूणे (एम.एच./7156), (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी

भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1052 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निशेष सहवृद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 4135 तारीख 22-11-1982 के अनुसरण में और इससे उपावृद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 11-12-1985 से तीन वर्ष की अवधि के लिए जिसमें 10-12-1988 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त महाराष्ट्र को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रश्नारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रश्नारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले हो सदस्य है, उसके

स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसका बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं, तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि का जाने का व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्दाय रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्दाय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारियों के विधिक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, महाराष्ट्र के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुना है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो वह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम को दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशित/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/317/82-पी.एफ.-2/एस.एस.-2]

S.O. 1425.—Whereas Messrs Mahindra Owen Limited, 153, Bombay, Puna Road, Pimpri, Pune (MH/7156) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 4135 dated the 22-11-82 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 11-12-85 upto and inclusive of the 10-12-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Maharashtra and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language or the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Maharashtra and where any amendment is likely to affect adversely the interest of the employees, the Regional

Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/317/82-PF. II(SS. II)]

का०आ० 1426:—मैसर्स इन्वेंस इंजिन वर्क्स लिमिटेड, 17-बी, हड्डरर इन्डस्ट्रियल एस्टेट, पुणे (एम०एच०/11765) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 को उपधारा (2क) के अधीन छूट दिये जाने के लिये आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अतिदाय या प्रीमियम का सन्दाय किये बिना ही, भारतीय जीवन बीमा निगम को जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निधेय सहवृद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुभूत हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, मंत्रालय की अग्रसूचना संख्या का० आ० 4067 तारीख 12-11-1982 के अनुसरण में और इससे उपावृद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 4-12-1985 से तीन वर्ष की अवधि के लिये जिसमें 3-12-1985 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त, महाराष्ट्र को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिये ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निदिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 को उपधारा (3क) के खण्ड (क) के अधीन तय-तय पर निदिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रसारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जावेगा।

4. नियोजक, केन्द्रीय सरकार द्वारा तथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाये, जब उन संशोधन की प्रति नया कर्मचारियों की बहुसंख्या को भाषा में उपको मुख् बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसको वाज्त आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उचित फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उचित फायदों में समुचित रूप से वृद्धि को जांच की व्यवस्था करेगा जिससे कि कर्मचारियों के लिये सामूहिक बीमा स्कीम के अधीन उचित फायदे उन फायदों से अधिक अनुभूत हों, उक्त स्कीम के अधीन अनुभूत है।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी को मृत्यु पर इस स्कीम के अधीन सन्दाय रुकन उस रुकन से कम है जो कर्मचारी को उस दशा में सन्दाय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिवतारित/नामनिर्देशितों को प्रतिरु के रूप में दोनों रुकनों के अन्तर के अन्तर रुकन का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, महाराष्ट्र के पूर्व अनुमोदन के बिना नहीं किया जावेगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का गुणिशुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे

स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किये गये किसी व्यक्तिक्रम की दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशित/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/313/82-पी०एफ०-2/एसएस-2]

S.O. 1426.—Whereas Messrs Inex Engine Valves Limited, 17-B, Hadeppar Industrial Estate, Pune (MH/11765) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 4067 dated the 12-11-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 4-12-1985 upto and inclusive of the 3-12-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Maharashtra and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of

accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language or the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme; shall be made without the prior approval of the Regional Provident Fund Commissioner, Maharashtra and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/313/82-PF. II(SS. II)]

का०ग्रा० 1427—मैसर्स ओरियण्टल पावर केबल्स लिमिटेड, मारंग हाऊस पहली मंजिल, 34 छतरपति शिवाजी महाराजा मार्ग बम्बई (एम०एच०/18099) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है)

की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिय आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का संवाय किये बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम गहा गया है) के अधीन अनुभेय है ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या कां०शा० 31 तारीख 6-12-1982 के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापना को, 1-1-1986 से तीन वर्ष की अवधि के लिये जिसमें 31-12-1988 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त बम्बई को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिये ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम, की धारा 17 की उप-धारा (3क) के खण्ड(क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जायेगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उक्त संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा

और उसकी वास्तव आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दत्त करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिये सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुभेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश्य रकम उस रकम से कम है जो कर्मचारी की उस दशा में सन्देश्य होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त बम्बई के पूर्व अनुमोदन के बिना नहीं किया जायेगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम सन्दाय में किये गये किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशिती/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/372/82-पी०एफ०-2/एस०एस०-2)

S.O. 1427.—Whereas Messrs Oriental Powers Cables Limited Narange House, 1st Floor, 34 Chhetrapati Shivaji Maharaja Marg, Bombay 39 (MH/18099) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme):

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 31 dated the 6-12-82 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 1-1-1986 upto and inclusive of the 31-12-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Bombay and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Bombay, and where any amendment is likely to

affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/372/82-PF. II(SS. II)]

का.आ. 1428.—मैसर्स दी गुन्दूर डिस्ट्रिक्ट कोओपरेटिव सैन्ट्रल बैंक लिमिटेड, टेनाली (आ.प्र./2362) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल है जो उन्हें कर्मचारी निश्चय सहवृद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 923 तारीख 28-12-1982 के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 12-2-1986 से तीन वर्ष की अवधि के लिए जिसमें 1-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त, आन्ध्र प्रदेश, को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी

- सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।
2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक भाग की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।
 3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।
 4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।
 5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।
 6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उल्लेख फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उल्लेख फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिसे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उल्लेख फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।
 7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश रकम उस रकम से कम है जो कर्मचारी की उस दशा में सन्देश होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।
 8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, आन्ध्र प्रदेश, के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।
 9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।
 10. यदि किसी कारणवश नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारांक के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।
 11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।
 12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशित/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक भाग के भीतर सुनिश्चित करेगा।
- [संख्या एस-35014/474/82-पी.एफ.-2/एस.एस.-2]
- S.O. 1428.—Whereas Messrs The Guntur District Co-operative Central Bank, Limited, Tenali-AP. (AP/2362) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act),
- And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);
- Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 923 dated the 28-12-82 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 12-2-1986 upto and inclusive of the 11-2-1989.
- SCHEDULE**
1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Andhra Pradesh, and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.
 2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language or the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme; shall be made without the prior approval of the Regional Provident Fund Commissioner, Andhra Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/474/22-PF. II(SS. II)]

का. आ. 1429.—मसर्स नासिक जिला सेंट्रल को-ऑपरेटिव बैंक लिमिटेड पुराना वास्के-आगरा रोड, पो. बी. नं.-132 नासिक-422002 (एम. एच/6963) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 1740 GI/85—8

17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल है जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 406 तारीख 10-12-1982 के अनुसरण में और इससे उपावद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 15-1-1986 से तीन वर्ष की अवधि के लिए जिसमें 14-1-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त महाराष्ट्र को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का बहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं, तो, नियोजक उक्त स्कीम

के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश्य रकम उस रकम से कम है जो कर्मचारी की उस दशा में सन्देश्य होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य आयुक्त महाराष्ट्र के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहाँ, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिससे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यक्तिगत की दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशिती/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/406/82-पी.एफ. 2/एस.एस. 2]

S.O. 1429.—Whereas Messrs The Nasik District Central Cooperative Bank Limited, Old Bombay Agra Road, PB No. 132, Nasik-422002 (MH/6963) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme):

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 406 dated the 10-12-82 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 15-1-86 upto and inclusive of the 14-1-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Maharashtra and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc, shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language or the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme: shall be made without the prior approval of the Regional Provident Fund Commissioner, Maharashtra and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the

benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/406/82-PF,II(SS.IV)]

नई दिल्ली, 19 मार्च, 1986

गुद्धि-पत्र

का. आ. 1430.—भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) दिनांक 6 जुलाई, 1985 में प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 3133, दिनांक 10 जून, 1985 की दूसरी पंक्ति में "(टी. एन./11819)" के स्थान पर "(टी.एन./11818)" पढ़ें।

[संख्या एस - 35014/126/85 - एस. एस-4]

New Delhi, the 19th March, 1986

CORRIGENDUM

S.O. 1430.—In the notification of the Government of India in the Ministry of Labour No. S.O. 3133, dated the 10th June, 1985 published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 6th July, 1985, in line 3 for "(TN/11819)" read "(TN/11818)"

[No. S-35014/126/85-SS.IV]

का. आ. 1431.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकाश उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (4) के खंड (ग) द्वारा प्रवृत्त व्यक्तियों का प्रयोग करते हुए, भारत के राजपत्र, भाग 2 खंड 3, उपखंड (ii) तारीख 1 जनवरी, 1983 में प्रकाशित भारत सरकार के तत्कालीन श्रम और पुनर्वास मंत्रालय (श्रम विभाग) की अधिसूचना संख्या का. आ. 26, तारीख 6 दिसम्बर, 1982 द्वारा उक्त अधिनियम की धारा 17 की उपधारा (2क) के अधीन मैसर्स मधु मिलन सिस्टैक्स (प्रिवेट) लिमिटेड, आगरा बम्बई रोड, देवास (एम. पी./3387) को दो गरी छूट को तत्काल रद्द करती है।

[संख्या एस - 35014/336/82-पी. एफ -2]

S.O. 1431.—In exercise of the powers conferred by clause (c) of sub-section (4) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby rescinds with immediate effect the exemption granted to M/s. Madhu Milan Syntex (P) Limited, Agra Bombay Road, Dewas, M.P. (MP/3387) under sub-section (2A) of section 17 of the said Act by the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour) No. S.O. 26 dated the 6th December, 1982, which was published in the Gazette of India, Part II, Section 3, sub-section (ii) dated the 1st January, 1983.

[No. S-35014/336/82-PF. II]

नई दिल्ली, 20 मार्च, 1986

का. आ. 1432.—राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खंड (घ) के अनुसरण में श्री के. बी. श्रीनिवासन, के स्थान पर श्री गोपाल चन्द्र त्रिपाठी, सचिव, महाराष्ट्र सरकार, मेडिकल एजुकेशन एंड ड्रग्स विभाग, बम्बई को कर्मचारी राज्य बीमा निगम में उक्त राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 545(अ), दिनांक 25 जुलाई, 1985 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, "(राज्य सरकार द्वारा धारा 4 के खंड (घ) के अधीन नामनिर्दिष्ट)" शेषिक के नीचे मद् 18 के सामने को प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

"श्री गोपाल चन्द्र त्रिपाठी,

सचिव, महाराष्ट्र सरकार,

मेडिकल एजुकेशन एंड ड्रग्स विभाग,

बम्बई।"

[संख्या यू-16012/3/86-एस.एस-1]

New Delhi, the 20th March, 1986

S.O. 1432.—Whereas the State Government of Maharashtra has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Gopal Chandra Tripathy Secretary to the Government of Maharashtra, Medical Education and Drugs Department, Bombay to represent that State on the Employees' State Insurance Corporation, in place of Shri K. B. Srinivasan;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. 545(E), dated the 25th July, 1985, namely:—

In the said notification, under the heading "(Nominated by the State Government under clause (d) of section 4)", for

the entry against Serial Number 18, the following entry shall be substituted, namely :—

"Shri Gopal Chandra Tripathy,
Secretary to the Government of Maharashtra,
Medical Education and Drugs Department,
Bombay."

[No. U-16012/3/86-SS-II]

का. आ. 1433.—केन्द्रिय सरकार ने कर्मचारों राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खंड (ग) के अनुसरण में कुमारो मारा सेठ के स्थान पर श्री अजात सिंह, अपर सचिव, भारत सरकार, श्रम मंत्रालय नई दिल्ली को कर्मचारों राज्य बीमा निगम में सदस्य के रूप में नाम निर्दिष्ट किया है;

अतः, अब केन्द्रिय सरकार, कर्मचारों राज्य बीमा अधिनियम, 1948 (1948 का 34) का धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 545(अ), दिनांक 25 जुलाई, 1985 में निम्नलिखित संशोधन करता है, अर्थात् :—

उक्त अधिसूचना में, "केन्द्रिय सरकार द्वारा धारा 4 के खंड (ग) के अन्तर्गत नाम निर्दिष्ट" शर्षक के नीचे मद 3 के अंतर्गत का प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

"श्री अजात सिंह,
अपर सचिव,
भारत सरकार
श्रम मंत्रालय,
नई दिल्ली।"

[संख्या-यू-16012/4/85-एस.एस.-1]

ए. के. भट्टराई, अपर सचिव

S.O. 1433.—Whereas the Central Government has in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Ajit Singh, Additional Secretary to the Government of India, Ministry of Labour, New Delhi as a member of the Employees' State Insurance Corporation, in place of Miss Meera Seth;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour S.O. No. 545(E), dated the 25th July, 1985, namely :—

In the said notification, under the heading "(Nominated by the Central Government under clause (c) of section 4)", for the entry against Serial Number 3, the following entry shall be substituted, namely :—

"Shri Ajit Singh,
Additional Secretary to
the Government of India,
Ministry of Labour,
New Delhi."

[No. U-16012/4/85-SS-I]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 20 मार्च, 1986

का. आ. 1434.—केन्द्रिय सरकार का समाधान हो गया है कि लोकहित में ऐसा अपेक्षित है कि जिन उद्योगों में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का

14) को प्रथम अनुसूची का प्रविष्टि 15 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए उपयोगों सेवाएं घोषित किया जाता चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 2 के खंड (द) के उपखंड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रिय सरकार उक्त उद्योगों को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/9/85-डी-1 (ए) (ii)]

New Delhi, the 20th March, 1986

S.O. 1434.—Whereas the Central Government is satisfied that the public interest requires that the Zinc Mining Industry which is covered by item 15 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/9/85-D.I(A)(ii)]

का. आ. 1435.—केन्द्रिय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित है कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (द) के उपखंड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय को अधिसूचना संख्या का. आ. 4549 दिनांक 13, सितम्बर 1985 द्वारा संसा उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 24, सितम्बर 1985 से छः मास का कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रिय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास का और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 2 के खंड (द) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रिय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 24 मार्च, 1986 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/9/85-डी-1 (ए) (i)]

ए. वी. एस. शर्मा, डेस्क अधिकारी

S.O. 1435.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 4549 dated the 13th September, 1985, the Lead Mining Industry to be a public utility service for a period of six months, from the 24th September, 1985;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 24th March, 1986.

[No. S-11017/9/85-D.I(A)(i)]

A. V. S. SARMA, Desk Officer

नई दिल्ली, 20 मार्च, 1986

का. आ. 1436.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सेंट्रल बैंक आफ इंडिया के प्रबंधन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अन्तर्बन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-3-86 को प्राप्त हुआ था।

New Delhi, the 20th March, 1986

S.O. 1436.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on the 13th March, 1986.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL,
CHANDIGARH

Case No. I. D. 28 of 1983

PARTIES :

Employers in relation to the Management of Central Bank of India, Chandigarh.

AND

Their Workman—V. K. Anand.

APPEARANCES :

For the Employers—Shri D. D. Kapoor.

For the Workman—Shri R. K. Sharma.

ACTIVITY : Banking

STATE : Haryana

AWARD

Dated, the 4th March, 1986

The Central Government, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, as per their Order No. L-12012(23)/82-D.II(A) dated 29-7-1982 referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of the Central Bank of India in dismissing Shri V. K. Anand, Clerk, Panipat Branch of the Bank with effect from 17-9-80 is justified? If not, to what relief is the workman concerned entitled?"

2. To trace a short history of the matter in March and April 1978 the petitioner V. K. Anand was working in the clerical cadre at Panipat Branch of the Respd. Bank. One H. R. Bajaj, posted as despatch clerk at the said Branch, used to handle petty-cash to meet the day-to-day contingency; he was provided with an improved cash/despatch box for the purpose. It was alleged that after closing hours on 1-4-1978 Shri Bajaj received an amount of Rs. 5000 from M/s. Punjab Medical Store who had their account with the Branch; this money was sought to be deposited in their Account. But because of the closure of the Banking hours, Shri Bajaj could not get it credited to the Account holder's name and so retained the amount in his cash box.

3. The petitioner was accused of having tampered with the said amount of Rs. 5000 lying in the cash box of Shri Bajaj.

4. It was further alleged that on the same evening, the petitioner broke into the Bank almshouse where the aforesaid cash box of Shri H. R. Bajaj was lying, he lifted it stealthily and carried away home. However on second thoughts he appeared to have realised the gravity of the incident and so concocted a story that as a matter of fact when he was moving around on usual evening walk near the Bank premises, he saw an unidentifiable character jumping down the roof of the adjoining building and as he challenged the intruder the latter escaped leaving behind some cloth wrapped bundle; that on picking up the same he found that it contained the cash box which used to be in the custody of the aforesaid despatch clerk Shri Bajaj.

5. Thereupon, he took the box to Bank's peon Shri Rajinder Parshad who used to live in that locality and narrated the incident to him. He also collected Sub-accountant Shri M. L. Chawla, Shri Bajaj and the Bank Guard Shri Mool Chand Taneja and went to the residence of the Branch Manager Shri S. K. Goyal to whom he narrated the entire incident as above, and handed over the Cash Box to Shri Goyal.

6. However, the Bank Authorities found some thing fishy in the narration of events and so they called upon the petitioner to explain as to how he happened to be present around Bank's premises at the time of alleged burglary and how he retrieved the cash box. Since the petitioner's reply to the query was found unsatisfactory therefore he was taken through a regular departmental inquiry on the following charge :

"That, Mr. V. K. Anand had committed a theft of Despatch Box of Bank's Panipat Office during the evening of 1st April, 1978, the Saturday, with intention to steal cash of Rs. 5000 reported to have been kept in the despatch box in the presence of Mr. V. K. Anand during close of working hours i.e. about 2-00 P.M. on 1st April, 1978 the Saturday."

7. On completion of the departmental proceedings, the Inquiry Officer Shri B. N. Kapoor, concluded the petitioners guilt and in exercise of the powers as the Disciplinary Authority, issued him a show cause notice proposing his dismissal from service. The petitioner's reply to the show cause notice was found to be perfunctory and thus he was removed from service under the impugned order dated 17-9-80. Feeling aggrieved, the petitioner raised a dispute through his Union but the issue could not be settled amicably despite the intervention of the A.L.C. (C) at the Conciliation stage and hence the Reference.

8. According to the petitioner, the entire exercise of departmental inquiry was a farce because he was proceeded against on certain pre-conceived notions and so much so that no fair opportunity was given to him to project his defence. He also challenged the competence of the Inquiry Officer to act as the Disciplinary Authority. On the other hand, pleading the validity of the Enquiry proceedings for the obvious reasons, the Management doubted the propriety of the Government's action in referring the dispute to the Tribunal.

9. The parties were, thus, put to trial on the following issues framed over and above the terms of reference :

(a) Whether the Reference is legally infirm or incompetent as alleged? O.P.R.

(b) Whether the domestic enquiry stands vitiated for want of good faith, enquiry and principles of natural justice? O.P.P.

10. In support of his case the petitioner examined himself whereas the management produced their Enquiry Officer Shri B. N. Kapoor, who, as mentioned, herein-before, had also acted as the Disciplinary Authority.

11. I have carefully, perused the entire available material and heard the parties. My issuewise discussion and findings are as follows :—

ISSUE No. 1

12. In all fairness to them the management did not press this issue, though otherwise also I find nothing wrong in the action of the Appropriate Government; in referring the dispute to this Tribunal because one can not possibly deny that there was a bonafide controversy between the parties on the point of employment prospects of the petitioner. The issue is accordingly answered against management.

ISSUE No. 2

13. On behalf of the petitioner it was argued that he was denied a fair opportunity to defend himself in the departmental proceedings, most of which were conducted in an haphazard manner by the Inquiry Officer even without giving him prior notice; that the "charge" was quite vague and that there was no evidence to substantiate it. In the same sequence it was submitted that the findings of the Inquiry Officer were based on surmises and conjectures rather than on legal evidence and that by no stretch of logic the Inquiry Officer could usurp the powers of the Disciplinary Authority to pass the impugned order of punishment.

14. Despite seeming attraction the submissions failed to carry conviction with me because a bare perusal of the charge-sheet would leave no manner of doubt that the petitioner was fully apprised of the precise allegation against him. To rule out the possibility of any ambiguity, one may refer to the charge-sheet even though it would be at the risk of repetition. It reads as below :—

"That Mr. V. K. Anand had committed a theft of Despatch Box of Bank's Panipat Office during the evening of 1st April, 1978, the Saturday, with intention to steal cash of Rs. 5000 reported to have been kept in the Despatch box in the presence of Mr. V. K. Anand during close of working hours i.e. about 2-00 P.M. on 1st April, 1978 the Saturday."

15. In so far as the propriety of the departmental proceedings is concerned, I think the same stands established even from the petitioner's own admissions because under the weight of cross-examination in the Tribunal-proceedings he conceded that he was associated with the proceedings throughout the entire course and was represented by the Union of his choice; that the management led their entire evidence in his presence and due opportunity was afforded to him not only to test its credibility but also to project his own defence. He, further disclosed that all the relevant copies were supplied to him through his Union and that the copy of the report of the Inquiry Officer, including his findings, was also given to him. On further query he could not deny having been properly heard by the Inquiry Officer before the conclusion of his findings. Of course he had an apprehension of the Inquiry Officer being pressurised by the Management against him, but then admitted that he never sought any change of the Inquiry Officer.

16. It is against the aforesaid backdrop that the testimony of the Inquiry Officer Shri B. N. Kapoor MW-1 deserves to be accepted for the proposition that the entire proceedings were conducted in a dispassionate, free and fair manner with due regard to the principles of equity, fair play and natural justice.

17. In so far as the petitioner's grouse against the quality of evidence adduced against him in the departmental proceedings is concerned, I think that unless it is shown that there was no legal evidence against him, the Tribunal would be exceeding its brief if it were to sit as Court of Appeal on the conclusions of the Enquiry Office. Of course one of the main witness Shri H. R. Bajaj did not support the management's version but all the same in the totality of the situation the petitioners own contradictory versions before the Branch Manager and his written explanation to the show cause notice find a direct reflection of his culpability in the testimony of his co-workers Rajinder Prashad; Mool Chand and M. L. Chawla.

18. Similarly the action of the Enquiry Officer in exercising the powers of the Disciplinary Authority also deserves to be sustained in view of the unambiguous philosophy of Article 19-14 of the Bipartite Settlement. Otherwise also it is not denied that at the relevant time he was the Chief Manager and, in his capacity as such, was the petitioner's Appointing Authority. In the Cases of Shambhu Nath Goyal Vs. Bank of Baroda 1984 (1) S.L.R. 212 (S.C.) and D. C. Aggarwal Vs. Union of India 1983 (2) S.L.R. 94 also the principles of dual functioning was sustained. Accordingly the issues is answered against the petitioner.

Reference and Relief.

19. Of course in view of my above discussion and findings on issue No. 2 the petitioner's fate appears to be sealed but all the same there are certain salient features of the case which call for an indulgent view on the point of punishment. Compassions apart, on the management's own showing they did not suffer any monetary loss in the incident, no one had seen the petitioner actually removing the cash box from the Bank's premises. If he were to act as an utter dishonest man he could easily swallow the money and discard the Box to eliminate all the incriminating evidence. The very fact that he had some second thoughts and returned the money to the Bank on collecting a number of co-workers shows that he was possessed of certain characteristics which could be constructively channelised.

20. During the course of hearing, on his behalf, an instance of one Shri B. S. Magoo was also cited; Shri Magoo was posted as Asst. Cashier at Karnal Branch of the Respd. Bank and in his capacity as such was alleged to have stolen a cash amount of Rs. 1,150 from the Bank's chest on 7-1-1982, he was proceeded departmentally and found guilty but let off with a punishment of "stoppage of four graded increments permanently with cumulative effect".

20. Significantly enough the submission-of-fact was allowed to go un rebutted. Of course the management's indulgence in one particular case may not bind them to show the same generosity towards the dereliction of the petitioner also but in the totality of the circumstances I feel that the ends of justice would have sufficed even if any other punishment short of dismissal, was imposed on him.

22. Accordingly on sustaining the management's action in its pith and substance, I quash the impugned order of punishment and substitute the same with the loss of Petitioner's upto date wages, including graded increments, permanently and cumulatively; but he would be reinstated with immediate effect and even though the intervening period will count towards his service for the purpose of terminal benefits as and when they fall due, yet he will not be entitled for any leave or encashable service benefits of any type whatsoever accruing during the meanwhile. To put it in plain word he shall be fixed up at the stage where he was at the time of his suspension and start a afresh from there.

23. Award returned accordingly.

Chandigarh,

Dated : 4-3-1986.

I. P. VASISHTH, Presiding Officer

[No. L-12012/23/82-D.II (A)]

नई दिल्ली, 21 मार्च, 1986

का. आ. 1437.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, इलाहाबाद बैंक के प्रबंधन से सम्बन्धित निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-3-86 को प्राप्त हुआ था।

New Delhi, the 21st March, 1986

S.O. 1437.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the Allahabad Bank and their workmen, which was received by the Central Government on the 10th March, 1986.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA**

Reference No. 33 of 1985

PARTIES :

Employers in relation to the management of Allahabad Bank, Calcutta

AND

Their Workmen.

PRESENT :

Shri Justice N. G. Chowdhury, Presiding Officer.

APPEARANCES :

On behalf of Employer—Shri P. K. Mukherjee, an officer of the Bank.

On behalf of Workmen—Shri Ashoke Singh, General Secretary of All India Allahabad Bank Employees' Association.

STATE : West Bengal**INDUSTRY :** Banking**AWARD**

Government of India, Ministry of Labour by Order No. L-12012(56)/85-D.II (A) dated 20th December, 1985, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Allahabad Bank, 2, Netaji Subas Road, Calcutta-1, in retiring Shri Ram Dular, workman by taking his date of birth as June, 1924 is legal and justified? If not, to what relief is the workman entitled?"

2. There is no dispute that the workman Shri Ram Dular was made to retire by the management of Allahabad Bank, 2, Netaji Subhas Road, Calcutta-70001 on 1-7-1984 on the footing that his date of birth was June 1924. The Union however contends that the workman was made to retire on the aforesaid date without justification and illegally because his date of birth as declared by him and accepted by the Bank is June, 1927. There is no dispute again that the workman joined the Bank in the year 1947. The Bank management however contends that their records reveal that Shri Ram Dular was born in June 1924 and that was confirmed by the medical officer of the Bank in June 1984. The dispute thus centres around the question whether June, 1927 or June 1924 is the date of birth of Shri Ram Dular and which date should have been accepted by the Bank.

3. Parties have not adduced any oral evidence, the entire evidence adduced by the parties is documentary. On behalf of the workman reliance is placed on Ext. W-1, an application for the post of Peon-cum-Bill Collector made by the workman on 12-11-1980 in column No. 3 whereof June 1927 is given as the date of his birth. The application is signed by the workman. On behalf of the union attention is drawn to the certificate given by the manager stating "Certified that the particulars of this application as submitted by Shri Ram Dular, who is an employee of this Branch/Office have been verified". Reliance is next placed on Ext. W-2, an application made by the workman on 26-3-1982 for the post of Peon-cum-Bill Collector and there is again a certificate to the effect quoted earlier at the bottom of this application bearing the signature of manager of Allahabad Bank. There is again a similar application made by the workman concerned on 25-1-1984 bearing similar certificate given by the

manager regarding verification of the particulars. On behalf of the union it is emphasised that prior to retirement, on three occasions in three applications, the workman concerned gave out that he was born in June, 1927 and the Bank management appended certificate to the effect that particulars in the application were verified, obviously meaning with reference to the records maintained in the office. On 6th April 1984, after getting a notice that he would be retiring on 30-6-1984, Shri Ram Dular submitted an application, Ext. W-4, stating that his date of birth was wrongly noted as June, 1924. Again it is pointed out that in Annexure-E to the written statement of the union, a portion of document prepared by the Bank, in item No. 51 it is noted that Shri Ram Dular a Peon serving the Bank from 16-11-1947 was born in June, 1927 as noted in column with the heading date of birth. From the documents noted above the union builds up the argument that Bank's management acted unjustly and arbitrarily in making the workman concerned retire in 1984 on the footing that he was born in June, 1924.

4. The Bank management on the other hand filed a number of documents. Ext. M-1 is the card report file which indicates that Shri Ram Dular appointed on 6-11-1947 had his birth in June, 1924 and this date was accepted by a letter dated 4-9-1962 held in age proof file. The representative of the union points out that the letter dated 4-9-1962 and the age proof file have not produced by the management to give credence to the document. The management then places reliance on Ext. M-2 dated 26-6-1984 by which Shri Ram Dular was made to appear before Dr. Bebasish Sengupta, medical consultant of the Bank and the medical consultant after examining Shri Ram Dular opined "I have examined Shri Ram Dular at 2.30 P.M., on examination I am of the opinion he appears to be the age nearly 60 years." Although the management relies upon this document to prove that Shri Ram Dular was medically found to be 60 years old on 26-7-1984 and under the rules of the Bank he was to retire on attaining the age of 60 years, yet the union contends that the doctor has given no cogent reason for his opinion. It is further contended that in the absence of cogent reasons and details of examination the doctor's opinion cannot be accepted as he is most likely to oblige the bank management. Next on behalf of the management reliance is placed on Indian Banks' Association's letter dated 17-6-1983, marked Ext. M-3 which permits medical examination of bank employees who cannot produce authentic documents regarding their age. This document has a very little relevance in the present case. In the second paragraph of this letter it is clearly stated that with regard to the date of birth furnished by an employee at the time of his appointment once accepted and entered in the service record by the appropriate authority the same shall not be subject to any alteration. It is emphasised that Shri Ram Dular had joined the services of the Bank in 1947 and his date of birth was accepted by the Bank although there is conflict as to the correct entry; and for that reason there is no occasion for sending him for medical examination again. It is pointed out that paragraph 3 of the letter Ext. M-3 applies to employees seeking employment subsequent to the issue of the letter. There is no dispute that Shri Ram Dular was given appointment prior to issue of this letter. The Bank however places great reliance on the letter dated 17th June 1950, marked Ext. M-7 with a list of subordinate staff enclosed therewith. In the enclosure with the heading Subordinate Staff, June 1950, Shri Ram Dular is shown to be 26 years old and his year of birth noted as 1924. Most important thing that in the column noting age and year of birth the expression occurs "Age certificate by the Bank's doctor". If Shri Ram Dular was 26 years old in 1950 he was surely born in 1924 but there is no indication that this year of birth was ascertained by the bank's doctor after examination of Shri Ram Dular. No evidence of such medical examination has been produced by the bank's doctor after examination of Shri Ram Dular, medically ascertained as Ext. M-7 purports to do there was no necessity of having his age medically determined ever again in June, 1984 as shown by Ext. M-2. We have earlier referred to Ext. M-1 which indicates that age was verified in the year 1962. It is not known how the occasion for verification arose if Ext. M-7 is an authentic document. There is again no indication that Shri Ram Dular ever accepted in writing any letter issued by the bank authority that he was born in the year 1924. On behalf of the management it is argued that although Shri Ram Dular rendered

service to the bank for long number of years starting from 1947 till 1984 he never raised any dispute regarding his age except by letter dated 6th April 1984, marked Ext. W-4. In other words on behalf of the management it is argued that the dispute is belated and obviously motivated. This argument has a very little force. The Bank has produced no document to prove that prior to the letter dated 31-3-1984 referred to by Shri Ram Dular in Ext. W-4, the Bank gave notice to Shri Ram Dular as to his date of birth as recorded in the documents of the Bank to be June 1924 or that he he would have to retire in June, 1984. If Shri Ram Dular had no such prior notice he had no occasion to raise any dispute regarding his date of birth or correct date of retirement. As soon as Shri Ram Dular got notice of retirement by the letter aforesaid dated 31-3-1984, he raised a dispute without loss of time on 6th April 1984. Shri Ram Dular's conduct is not at all suspect. In this connection I would repeat my reference to Exts. W-1, W-2, W-3, wherein Shri Ram Dular had given out his year of birth as June, 1927; and the Bank management in the certificates appended to these applications disclosed that the said particulars along with others were verified. The Bank management after receiving this applications from Shri Ram Dular could have ascertained if he was giving a false age in the applications contrary to what was recorded and accepted by the Bank.

5. I have considered the documentary evidence adduced by both the parties and probative value thereof. Considering all above I am of the view that the documents relied on by Shri Ram Dular and coming from the custody of the Bank proved affirmatively that he was born in June 1927 and as such he would have attained the age of 60 years or the age of superannuation on the expiry of June, 1987. The management placed before me for consideration the Award marked Ext. M-5 given in Reference No. 214 of 1984 by the Central Government Industrial Tribunal, Kanpur. The facts and circumstances of the case considered therein are entirely different from the facts and circumstances of the present case. Considering evidence and arguments in their totality as discussed above I have no hesitation to conclude that Shri Ram Dular, the workman concerned gave out at the time of his initial appointment that he was born in June 1927; that was accepted by the bank management as transpires from the certificates appended to Exts. W-1, W-2, W-3 and Annexure-F to the written statement filed by the union. In the result the issue under consideration is answered against the management of the Allahabad Bank and it is held that it was illegal and unjustified for the Bank to retire Shri Ram Dular on the footing that his date of birth was June, 1924. It is found that Shri Ram Dular was born in June, 1927 and he should have been made to retire on the expiry of June 1987. The Order of the management of the Allahabad Bank retiring Shri Ram Dular w.e.f. 1-7-1984 is set aside and he be re-instated to the post from the date on which he was made to retire and be permitted to continue in service till 30-6-1987.

An Award be made and submitted for publication in the above terms.

Dated, Calcutta,

The 26th February, 1986.

N. G. CHOWDHURY, Presiding Officer

[No. L-12012/56/85-D.II (A)]

N. K. VERMA, Desk Officer

नई दिल्ली, 20 मार्च, 1986

का. अ. 1438.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रिय सरकार सिंगरेनी कोदवारिको कंपनी लिमिटेड, रामगुंडम डिविजन-III, डा. खा. गोदावरिकहानी, जिला करीमनगर (आन्ध्र प्रदेश) के प्रबंधन में सम्बद्ध निरीक्षकों और उनके कर्मचारियों के बीच अनुबंध में निम्नलिखित औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 12 मार्च, 1986 को प्राप्त हुआ था।

New Delhi, the 20th March, 1986

S.O. 1438.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Ramagundam Division III, P.O. Godavarikhani, District Karimnagar, (A.P.) and their workmen, which was received by the Central Government on the 12th March, 1986.

BFFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal

Industrial Dispute No. 49 of 1984

BETWEEN

The Workmen of Singareni Collieries Company Limited, Ramagundam Division III, P.O. Godavarikhani, Karimnagar District. (A.P.).

AND

The Management of Singareni Collieries Company Limited, Ramagundam Division-III, P.O. Godavarikhani, Karimnagar District. (A.P.).

APPEARANCES :

Saravasti V. Jagannadha Rao, V. Venkata Ramana and V. Srinivasa, Advocates—for the Workmen.

Sri K. Srinivasa Murthy, Advocate—for the Management.

AWARD

The Government of India, Ministry of Labour and Rehabilitation by its Order No. L-22012/22/84-D. III. D, dated 19/23-7-1984 referred the following dispute under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 between the employers in relation to the management of Singareni Collieries Company Limited, Ramagundam Division-III and their workmen to this Tribunal for adjudication :

"Whether the management of Messrs. Singareni Collieries Company Limited, Ramagundam Division-III, are justified in dismissing from service with effect from 1-2-83, Shri M. Rajaiah, Fitter, GDK-7 Incline ? If not, to what relief is the workman concerned entitled ?"

This reference was registered as Industrial Dispute No. 49 of 1984 and notices were issued to the parties.

2. This is a claim statement filed by the workman Sri M. Rajaiah stating that he was an Apprentice Fitter having passed in Industrial Training Institute at Peddapalli in the year 1973 and on completion of his training he was absorbed as Fitter in the First Category in 1974. He was also upgraded in Category IV in the year 1976 and finally given promotion in Category V in 1979 and was working a full fledged Shift Incharge of GDK 7 Incline.

(a) While so on 21-8-1982 when he performed his duty in the capacity of Maintenance Fitter during the first shift from 7.00 a.m. to 3.00 p.m. and gave his report to Assistant Engineer Ch. Janardhan Rao regarding the work performed and when he was on the verge of coming out the Assistant Engineer enquired about the transportation of materials done by him for which the workman has stated that he had no concern with transportation of material and it was the duty of the Tindal Mazdoor and their Supervisor

who are concerned with transportation of materials. But the Assistant Engineer Janardhan Rao took a perverse view of the answer and insisted that he should give report also on transportation of material and Rajaiah could not give the same as it was not within the job description then the Assistant Engineer feeling as if his prestige was lost and criminally assaulted the workman and inflicted bleeding injuries to his left hand. His behaviour with him was not that of a superior officer but was arrogant and he used filthy and abusive language and scolded him vulgarly. Then he gave a complaint to the Superintendent of Mines but no action was taken on that. The workman had his case referred to the Area Hospital through Safety Officer for treatment.

(b) Finally the Superintendent of Mines issued a charge sheet to the workman Rajaiah on 23-8-1982 alleging that the Petitioner used filthy language to Assistant Engineer and behaved in indecent manner towards him and he should be dismissed from service and the report given by the Assistant Engineer is perverse, concocted, false, fabricated and based on travesty of facts. The charge issued is illegal and incompetent and invalid and no enquiry is conducted against Assistant Engineer who criminally assaulted Rajaiah and inflicted bleeding injuries. The findings of the Enquiry Officer are quite contrary to the principles of natural justice as well as the Standing Orders of the Singareni Collieries Company. The order of dismissal served by the Management from 1-2-1983 is quite illegal. The workman Rajaiah has to maintain in 12 members consisting his wife, three children and aged parents and five unmarried sisters and himself and they are put to persistent starvation and loss to school going children. Therefore he prays that he should be reinstated in his original job and also annual increments and other reliefs by setting aside the illegal dismissal order.

3. In the counter of the Management it is mentioned that Rajaiah was not performing his duties to the entire satisfaction of his superiors. According to the Management he was in the habit of picking up quarrels and his colleagues and his superior officer and he was suspended earlier twice on this count. He was also suspended for about four days in instigating a strike. At the end of the first shift on 21-8-1982 the workman Rajaiah was supposed to give a report to the concerned Assistant Engineer of the Mine which is a routine affair to appraise the work done in the shift and outstanding work if any. When the Assistant Engineer enquired about the transport of material, the workman who did not make any mention in the report, replied in indifferent way stating that he was not concerned with it and Assistant Engineer should ask the Tindals. The tindals employed are only mazdoors to carry out the work entrusted to him and they are not expected to be familiar with the type of material they are handling or dismantling. The Fitters who are conversant with the work only can report about the details of the material transported. It is the normal job of Fitters to submit such reports and the workman Rajaiah himself had given such reports about the transportation of material in the past as per record.

(a) Thus the workman Rajaiah being adamant in not giving report entrusted to him. Further disowning his responsibility and mentioned that the petitioner workman had 10 years whereas the Assistant Engineer was having three years service and he had no business to teach him the work and abused in filthy language to the Assistant Engineer and also hit him on the left ear and pushed him along with the chair. At that time another Fitter came to his rescue and when Rajaiah was still trying to assault the Assistant Engineer another Engineer by name Sri Krishna caught hold of him and took him out of the room and even then Rajaiah threatened him that he would see if he comes out. In fact in the normal course, a complaint from Rajaiah the Safety Officer endorsed that the petitioner's claim that he had been injured to his left joint in a scuffle and the case is being enquired into, and he should be given treatment. The preliminary enquiry revealed the truth and therefore the Superintendent of Mines issued a charge to the petitioner Rajaiah for using filthy language against the Assistant Engineer and also for behaving in a

disorderly manner by assaulting the Assistant Engineer, charge sheet was issued as per Standing Orders 16(5) and he received it on 25-8-1982. He was given opportunity to defend himself and date suitable to him was given. Still he expressed his difficulty to attend the enquiry and sought that the enquiry should be fixed during the working hours to pay over time wages for participation in the enquiry after duty hours. The request was not acceptable being against the established practice of the Company.

(b) On 6-9-1982 the workman Rajaiah attended the enquiry but when the Enquiry Officer was about to start the enquiry proceedings he walked out of the room stating that he was not having patience to defend his case and left the proceedings abruptly. The enquiry was postponed from 6-9-1982 to 7-9-1982 at 4.00 p.m. The workman received the said letter but neither he attended the enquiry nor sent any bona fide reasons. The charge sheet issued to him is perfectly in order and it is done by the Competent authority and the workman Rajaiah might have made use of a scratch on his hand when he assaulted Assistant Engineer when pushed him down. The enquiry revealed that there was no iron rod or piece except a peon in the hands of Assistant Engineer. The Petitioner behaved in a disorderly manner using filthy language against Assistant Engineer and assaulted him which is a very serious offence. The order of dismissal was passed on the workman Rajaiah based on evidence considering the gravity of the offence and after taking into account the past conduct of the workman and therefore it is prayed that the dismissal should be upheld and he is not entitled for any relief.

4. The workman examined himself as W.W1 and marked Exs. W1 to W13 while the Management examined six witnesses namely M.W1 to M.W6 and marked Exs. M1 to M27 as documentary evidence.

5. W.W1 is the Petitioner M. Rajaiah. As a Fitter he is to maintain the Conveyor Belt of Machine A.M. 50. It is his case that he submitted the maintenance report to the Assistant Engineer on that day i.e. on 21-8-1982 at about 3 P.M. and the Assistant Engineer in turn asked him to tell about the transportation of material of which he replied that it is not his duty. It is his case that the material transportation work will be attended to by the Fitter in the General Shift and Assistant Engineer insisted that he should tell about the material transport. At that time there was altercation and the Assistant Engineer chastised that he did not know how to do work and asked him to go out, and Assistant Engineer also swung the iron rod and pushed the paper weight in an angry mood, the rod hit him on his hand. He gave a complaint under Ex. W1. According to him he reported to the Safety Officer on duty noted the same as per Ex. W2. But the Management gave the charge sheet as per Ex. W3 on 23-8-1982 alleging that he misbehaved with the Assistant Engineer. He sent a reply marked as Ex. W4 dated 26-8-1982 which is sent by under certificate of posting marked as Ex. W5. According to him thereafter wards the notice of enquiry which is marked as Ex. W6 was sent and the enquiry was posted to 2-9-1982. On 2-9-1982 he was in night shift from 11.00 a.m. to 7.00 a.m. and the management adjourned the enquiry to 6-9-1982 under Ex. W7. It is his case that he wanted the enquiry to be conducted during the working hours under Ex. W8 dt. 5-9-1982 for which the Management issued a letter under Ex. W9 stating that the enquiry should be held on 6-9-1982 at about 4.00 p.m. and that he was working in the night shift during that period.

(b) Finally on 6-9-1982 the enquiry was adjourned to 7-9-1982 as per Ex. W10. It is his case that he gave another letter requesting for an adjournment and the same was reported to him stating that no adjournments will be granted and the matter was posted to 7-9-1982 and that he did not attend the enquiry on 7-9-1982. It is his case that he sent refusal letter by post seeking adjournment and the copy of the refused letter is marked as Ex. W11 under certificate of posting. Thereafter wards it is his case that he did not know what happened in the enquiry and the order

of dismissal was sent to him on 30-1-1983 and it was passed *ex parte*.

(b) He denied the suggestion that he being the culprit in the incident of assaulting and misbehaving with Assistant Engineer that he gave Ex. W1 anticipating trouble in the matter. The refused letter is marked as Ex. W13. He denied the suggestion that he should appear before the Enquiry Officer on 6-9-1982 and left saying that he had no patience to attend the enquiry and that it was false to say that he wanted time. He denied the suggestion that Ex. W3 is not the letter given to the Management on 7-9-1982 but it is produced before this Tribunal for purpose of early defence however he sent the letter earlier. He denied the suggestion that he was previously involved in two or three misbehaviour with the Management officers charge sheets were given. According to him he filed a Writ Petition in the High Court before he was dismissed for staying proceedings in Writ Petition filed by him dismissed as per Ex. M1, and the Writ Petition copy served upon the Management is marked as Ex. M2. According to him when he was drawing salary of Rs. 800.00 per month as Belt Fitter originally and on the date of dismissal he was drawing about Rs. 1,000.00 per month. It is his case that he was not given any order mentioning the duties performed as Fitter and he was working at the time in Relay B shift and expected to perform the left over by the previous Fitter of the previous shift. According to him the Fitters in the General shift will be instructed about the work to be done by the respective Engineer and they were performing the same function in rotation. On the relevant date on 21-8-1982 he was working as Belt Fitter on Machine AM 50 in the first shift and he was expected to submit the report to the Consulting Engineer after the duty is over and he recorded the work done in his report and when he went to the Assistant Engineer Ch. Janardhan Rao who was in the shift to give the report, the Assistant Engineer of course asked why he did not maintain the transportation of material in it, and he replied that he was not concerned and that tindals were there to record the said work. He further mentioned that the General shift Fitter Ramulu will maintain all the reports and he will submit a report about the transportation of material and whereabouts of their location. But Janardhan Rao mentioned that the said information should be there in his report. But W.W1 refused stating that he was not aware of it. The repeated and counter denials went on with raised voice for three times; then, it is his case that the Assistant Engineer got wild and said "bleddy idiot" and mentioned that W.W1 should carry out his instructions and took an iron bolts which is kept as a paper weight and raised it like a stick and asked him to get out. It is his case that the iron rod hit him on his forearm frontal side and had bleeding. It is also his case that he went to the superior Rama Rao and Sirkar and gave a report and gave a letter in his own handwriting to the Superintendent of Mines and requested them to send him to the hospital for treatment. He denied the allegation in the charge sheet made against him. It is his case that he had put in nine years service so far. According to him the Engineers are there for supervision in general shift put not in other shifts. He conceded that whatever work done by them is maintained in the book and their signature obtained on them. Ex. M16 is the book maintained by him in his own handwriting and after seeing that he mentioned that the Engineer will question him if any work is not done. Even in case it is not mentioned by him in the report. According to him the report dated 17-8-1982 which is marked as Ex. M22 and the report dated 20-8-1982 which is marked as Ex. M2 and report Ex. M26 dated 19-8-1982 would show that there were mentioned about the transport of material and he again explained that the transport material with reference to belt transport material. He admitted Ex. M21 in his own handwriting dated 24-8-1982 and that he mentioned about the transportation of materials and similarly Ex. M19 also is written in his own handwriting. According to him Ex. M17 there was no such mention as no work was done on that day. It was suggested to him as per Ex. M17 as he did not turn out any work on 21-8-1982 the Assistant Engineer questioned him and finally he agreed

that generally the Engineers will give instructions with regard to transportation of materials for each shift and all the Fitters will carry out the instructions. It is also conceded that whatever works the Fitters executed are written in the report books and also left over work to be done by the continuing shift persons. He denied the suggestion that he was asked to dismantle and transport AM 50 Machine that on that day and at relevant time purposefully refused to do the work. It is his case that the first shift timings are from 7.00 a.m. to 3.00 p.m. He denied the suggestion that he not only refused to do the work but he also offended the Engineer when he questioned him why he did not do the work and he denied the suggestion that he became wild because of adverse remarks was written in Ex. M17 records. It is his case that he gave a complaint to the Police. It is his case that the Police did not register the case. The Officers manoeuvred with the Police Officials and that the case is not registered. He denied the suggestion that he gave a violent slap on the side the left ear resulting in such force for which the chair in which he was also fell down and there was nobody in that room. But admitted that the Executive Engineer was present. He denied the allegation that he abused Janardhan Rao in Telugu in abusive language and filthy language. Of course he conceded that he did not mention his version of Ex. W4 but merely gave an explanation. He also denied having used abusive language. He admitted that Ex. M27 endorsement made by the Superintendent of Mines on a letter addressed by him it is true and correct. It is dated 2-9-1982. He denied the suggestion that he attended the enquiry on 6-9-1982 and complained that he had no patience to defend his case. According to him he wanted adjournment. He denied that he was arrogant in his behaviour during the enquiry.

6. M.W1 is the Personnel Officer by name C. Simhachalam. According to him he conducted the enquiry against M. Rajaiah. He mentioned that the Superintendent of Mines issued a charge sheet to M. Rajaiah as per Ex. M3 dated 23-8-1982 stating that he abused the Assistant Engineer in filthy language in the office. Rajaiah was asked to come with an explanation as per Ex. M4. He did not submit any explanation and then a Memo was issued as per Ex. M5 and another notice was given on 2-9-1982 to appear on 6-9-1982. They were marked as Exs. M6 and M7. According to him Rajaiah gave an explanation that the enquiry should be fixed during the working hours or arrange for over time wages as per Ex. M8 dated 5-9-1982. The Superintendent of Mines wrote a letter as per Ex. M9 stating that the enquiry would be held as per the Schedule and expressed inability to concede his demand. According to him he was appointed as Enquiry Officer as he happened to be a Personnel Officer and he wrote a letter as per Ex. M10 on 6-9-1982 stating another chance be given to him to be present for enquiry on 7-9-1982. As Rajaiah walked out stating that he had no patience to defend his case. Under Ex. M11 dated 6-9-1982 Rajaiah was present for the enquiry on 7-9-1982 but he had not participated or present on 7-9-1982, and therefore he proceeded with the *ex parte* enquiry. There is no representation from the workman or his representative. He examined four witnesses including the complainant and sent a report. He conducted the enquiry on 7-9-1982 and a letter written by him to fix the date of enquiry on 7-9-1982 was also marked.

7. M.W2 is one Ch. V. Janardhana Rao who is the Assistant Engineer concerned in the said Incline. According to him he was working under him as Fitter. As a Fitter he assembles and dismantles the constructions and maintains the machinery. It is his case that he was given one General Mazdoor to assist him if the work demands more mazdoors. He was also provided. On 21-8-1982 when he was working in the first shift he entrusted him the work of dismantling conveyors structure at 31 Dip of 30 lever north in 3 Seam A.M. 50 District and Rajaiah did not do the work on that day. At about 10.30 a.m. he went to the District and on inspection he observed that the Conveyor's structure was not found dismantled and he questioned him

why he did not do it. According to him Rajalah asked him that he should show him how to dismantle the conveyors structure and completed the work within half-an-hour. After completing the conveyors structural dismantling he should have transported the material with the help of workers given to him, and also make a report of the work done by him in the report book. He filed the report book in that connection which is marked as Ex. M16. At the end of the shift normally at 3 P.M. the Fitter gives a report to the Engineer in the Engineer's room and he checked up the report. The report given by him is marked as Ex. M17. It is his case that he did not give a complete report. According to him he did not give the work details as well as the transportation of material, for which he was questioned. When he asked him why he did not give about the report of transportation of material, he replied stating that he was not knowing about the transportation of material and he was questioned for second time again and he replied stating that the Assistant Engineer should ask the Tindals and therefore he was constrained to make a report in the report book, then Rajalah started abusing him in filthy language to his astonishment and when he raised his face towards him, Rajalah hit him on the left ear and pushed him along with the chair at that time M. Ramulu another Fitter who was giving report to the Executive Engineer in the same room caught hold of him. The chair fell down and Krishna, Executive Engineer who caught hold of Rajalah bodily and took him out of the room. It is his case that when he was about to fall down Sri Krishna caught hold of him and told Rajalah it is not good for him and Rajalah began to abuse him further in filthy language. According to him he gave a complaint as per Ex. M13 and the Deputy Chief Engineer also made remarks are made in green ink in the report book under Ex. M17. The charge sheet is marked as Ex. M3. He denied the suggestion that he hit Rajalah with iron rod in the room on that day and he injured Rajalah's hand. It is his case that Fitters attend to the transportation of materials after dismantling the machines normally and that on 11-8-1982 also Rajalah himself mentioned in the report about the transportation of materials with the help of persons given to him in the book as per Ex. M18, M19 and M20 and that he also marked other Fitters giving such reports Ex. M21 and M22. According to him he had no enmity or ill feeling against Rajalah either before or after and in the normal course of his duties why he did not or ill feeling against Rajalah either before or after mention about the transportation of materials. According to him Rajalah as Maintenance Fitter should not only transport the gear box, gear head but he will also see that the material are transported from one place to another place where it is supposed to be required for re-erection and Tindals will not transport the material and it is the job of the Fitter who dismantles or assembles conveyors structures and Tindals only carry the parts of the dismantled items to the assembling spot. He insisted for the third time about the report from him for which Rajalah got wild that he was teaching him about how to remove bolts and nuts though he is experienced person. Janardhan Rao mentioned that he did not give police complaint for beating him and he came to know Rajalah gave a complaint to Superiors and he gave written representation in that connection as a counter blast.

8. M.W3 is one L. Krishna who is Senior Executive Engineer. He also corroborated the evidence in similar terms as M.W2 deposed. According to him Rajalah raised his voice saying "you are having hardly three years experience whereas I am having ten years experience" and abused M.W2 in filthy language and also Rajalah beat Janardhan Rao on his left ear and then Janardhan Rao raised from his chair to protect himself. Meanwhile Rajalah pushed him away, then the other Fitter Ramulu was giving report caught hold of Janardhan Rao so that he may not fall down even then Rajalah was abusing him in filthy language. According to him there was bleeding injury on the left thumb of Rajalah and according to him Janardhan Rao merely questioned why he did not mention about the transportation of materials and Rajalah replied that it is not his duty. He denied the suggestion that Rajalah did not beat him

9. M.W4 is one M. Ramulu who is a Fitter who was also stated to be an eye witness to the occurrence. He deposed that when he went to submit his report that he came to now that there was some galata and he did not know what it was. He deposed that he signed the statement now shown to him before the Enquiry Officer and he marked as Ex. M23. According to him he did not know what was written but he was asked to sign. He even denied the suggestion that the contents of the statement were explained and read over and signed the same. He mentioned that he did not remember. But he admitted that he signed the same with date. The witness was declared hostile and the management counsel cross examined him. He denied the suggestion that being present at the time of occurrence was deposing falsely. MW4 denied even in cross examination that he rescued Janardhan Rao while Krishna pushed away Rajalah at that time. He denied the suggestion that the workman concerned being his colleague as the matter was overlong back in 1982 with the intention to help the workman that he was deposing falsely. According to him he signed his reports related to the work done by him. While finally he mentioned that he did not write to the Management till the Ex. M23 statement was signed him without knowing the contents.

10. MW5 is Raj Mohammad who worked as Tindal. According to him he knew Janardhan and Rajalah who are concerned in the matter. He saw Ex. M24 statement and said that it is signed by him. He mentioned that Janardhan Rao was asking Rajalah with regard to his work but he did not know whether there was any quarrel took place between them. According to him the work material transport is done by Tindals and Tindals will furnish about the transportation of material to the Executive Engineer. There will be Tindals in every shift and in every Mine and Fitters are required to submit the report of their work in each shift and Fitters are assigned duties every day by the concerned Engineers. According to him on being questioned by the Enquiry Officer he stated that the contents on the dates mentioned in his report Ex. M24. According to him he did not know what transpired between the Engineer Janardhan Rao and Rajalah on that day. He was deposing as wanted by their Engineer. The witness when asked about in the re-examination about the contradiction given by him and when the Management's counsel wanted which of them is correct, the witness mentioned that he did not know.

11. MW6 is Deputy Chief Mining Engineer and he deposed that he knew Rajalah and he knows Janardhan Rao, Assistant Engineer. According to him on 21-8-1982 at about 3.00 P.M. Rajalah came to him stating that he was beaten by Assistant Engineer with an iron rod and that Superintendent of Mines is refusing to give letter to the Hospital for treatment of the petitioners injury. He had shown injury on his hand, it was just a scratch. He advised him that no letter is necessary from the Superintendent of Mines and Safety Officer as he is the employee of the S. C. Company and injury will be treated in the hospital without any letter. He instructed the Manager when Rajalah insisted for a letter being given. According to him Janardhan Rao and Executive Engineer B. Krishna, M. Ramulu and Raj Mohammed have come with a written complaint stating that Rajalah had beaten Janardhan Rao on the left ear throwing him out of the chair and also that he (Rajalah) has abused him in filthy language. He made prima facie enquiry with Ramulu and Raj Mohammad. He was satisfied that Rajalah behaved violently with Janardhan Rao and he had been to the place of incident and found that there was no iron rod available as alleged by Rajalah. According to him Krishna, Executive Engineer brought the wrist watch lying down and mentioned that it belonged to Rajalah. He admitted in the cross examination that he did not depose for the Management in the enquiry conducted against Rajalah. He also mentioned that he was not present in the room where Janardhan Rao and Krishna were sitting on 21-8-1982 when the incident took place. He conceded that he did not actually witnessed the incident and he merely conducted preliminary enquiry in respect of the incident that took place on 21-8-1982 as the head of the Department of the

Mines. He again clarified that there is no preliminary report in writing but he made preliminary enquiry and he did not give any police complaint.

12. The admitted facts of the case are that the Petitioner-Rajaiah worked as Fitter in ODEA / incline, Sagar Cement Company Limited on the date of his dismissal order sent to him on 31-1-1983. The said order is marked as Ex. W12. According to the Management as per the charge sheet that while the Fitter was giving report after his day duty at 3.30 P.M. he abused Sub Janardhan Rao, Assistant Engineer in filthy language at the office of the Engineer and that he behaved indecently and violent manner and hit the said Janardhan Rao on his left ear and thus it amounted to misconduct under Clause 16(2) of the Standing Orders of the Company and he was asked to explain why severe disciplinary action including that of dismissal should not be taken against him. This charge sheet is Ex. W3 is dated 23-8-1982. In fact Ex. W1 would show that there was an allegation by the Fitter that on 21-8-1982 itself he gave a complaint to the Superintendent of Mines that he was beaten by Janardhan Rao, Assistant Engineer with an iron rod piece on his left hand at the time of giving his first shift report at about 3.15 P.M. and the said beating caused him bleeding injury and he sought for justice in the matter. Ex. W2 would show that the Safety Officer whom he reported mentioned that the said Rajaiah claims that he had been injured on his left-forearm in a "scuffle" and the case is being enquired into and wanted the Hospital authorities to give treatment. The witness signed therein for he said report Ex. W2 is M. Ramulu. The Management witnesses namely M. W2 who is the actual person involved in the incident mentioned that the said Ramulu, Fitter was also present at the time of incident. In fact M.W4 who is the said M. Ramulu is examined by the Management. M.W4 is M. Ramulu. He denied having given a statement as per Ex. M23 which is the statement said to have been recorded by the Enquiry Officer M. W1. According to him he was asked to sign the contents and therefore he signed and denied the entire version of the Management. He denied that when Rajaiah pushed Janardhan Rao, the chair in which Janardhan Rao was sitting hit him and that he was injured and he also denied the suggestion that because of his lifting Janardhan Rao did not fall from the chair and he was rescued. Ramulu mentioned that he was not present at all. The evidence of W.W1 would show that there are number of general Fitters including Ramulu at the time of incident and even according to M.W4 the said M. Ramulu, went to submit his report on 21-8-1982 when the alleged incident took place and he came to know there, that there was some galata but he did not know what it was.

13. Thus it is interesting to note that M. Ramulu whom the Management cited as a witness as M.W4 for the incident of beating M.W2, was treated hostile and he denied his presence. But W.W1 who is the worker concerned mentioned about the presence of Ramulu and even Ramulu was a witness for the Safety Officers report under Ex. W2 when W.W1 wanted that he should be given accident report by the Safety Officer for going to the hospital. Thus it is clear that M. Ramulu was present. But whether he actually saw the incident and why he was not deposing about the facts of the incident are known only to M. Ramulu and he refused to disclose that he was witness to the incident proper. The evidence of W.W1 as well as M.W2 and M.W3, M.W5 and M.W6 would show that there was some incident involving the Assistant Engineer, Janardhan Rao and Fitter M. Ramulu on 21-8-1982 at about 3.30 P.M. at the time when the first shift ended and when the Fitters are expected to give reports about the work done by them. It is revealing from the evidence of M.W5 the Tindal who was also cited as a witness that when he was examined by the Enquiry Officer, the statements were signed by him and they were read over and explained to him and he was the only person who attended the enquiry and no others. Now it is his case that the job of Tindals and Fitters are different and the Tindals carry the work of material transportation and furnish a report about the transportation of materials to their superiors. He asserted that there will be Tindals in every shift and in every mine and Fitters were

also required to submit the report of their work for each shift and Fitters are also assigned duties every day by the concerned Engineers. According to him the Enquiry Officer had not show any papers to him when he made a statement under Ex. M24. He further mentioned that he did not know what transpired between the Assistant Engineer and Rajaiah on that day and that he was deposing as wanted by their Executive Engineer. This would show that in a way M.W5 was also hostile to the Management case. It is the case of the Management that he was the witness for the incident when Rajaiah abused the Assistant Engineer in filthy language and also tried to argue with him and disobeyed the lawful orders of the superiors. But Ex. M24 statement which is given by him to M.W1, the enquiry Officer was given a go by before this Tribunal when he mentioned that he did not know what transpired between the Assistant Engineer and Rajaiah on that day that he was deposing as wanted by their Executive Engineer. Of course, he was asked in the re-examination further that he gave two versions one in the chief examination and another in the cross examination and which of the version is correct. The said Raj Mohammed was Tindal. He mentioned that he did not know which version is correct. In other words he was critical about the real facts and the Management's version which is recorded under Ex.M24 is not accepted by him, as completely correct. Similarly he was also critical that the entire version given by Rajaiah was also not correct, and he did not try to give correct version. Yet the fact remained that there was an incident involving Assistant Engineer Janardhan Rao and Rajaiah. Even Ex.W2 would show that the Safety Officer mentioned that in a "scuffle" the said Rajaiah was injured as mentioned by Rajaiah and the same was being enquired into and he was being sent for treatment.

14. Whether Rajaiah refused to carry out the lawful duties by not giving report regarding the transportation of materials even after repeated demands or insistence by the Assistant Engineer whereupon for the kind of insistence for such a refusal and a counter insistence by the worker saying that it was not his duty to give such reports regarding material transportation have gone to a side track. The evidence would show even for the management that even Rajaiah went first to the Deputy Chief Mining Engineer stating that he was beaten by the Assistant Engineer Janardhan Rao with an iron rod and that he had shown injury on his hand which was noted by Dy. Chief Engineer just as a Scratch First of all, it is immaterial whether there was scratch or bleeding injury. The question is who was aggressive in the first instance. According to M.W6 it is the Rajaiah who came to him first and informed him that he was injured by the Assistant Engineer Janardhan Rao. Ex. M2 would show that Safety Officer sent him on 21-8-1982 to the Hospital for treatment on the allegation of Rajaiah that he was injured on his left fore arm in a scuffle. It is mentioned by the Doctor on the reverse of Ex.W2 that it is a superficial abrasion on the left forehead and thus there must be explanation for the said injury. According to M.W2 he questioned Rajaiah about the transport of material two or three times and when Rajaiah said that it is the duty of the Tindal to do that job and not that of his job to give the report of the transportation of material and when Rajaiah still insisted in his own way asserting his answer to be correct one, he began to write remarks in the report book and told him that he did not dismantle conveyors structure also for which he got wild, and abused him in filthy language and hit him on left ear and pushed him away. That Ex. W2 indicated Rajaiah being sent to the hospital and that there was abruption or scratch as admitted by M.W6 and found under Ex.W2 reverse there is no indication from the Doctor that the said Janardhan Rao was beaten on left ear indicating any remarks of injury or that he was taken to the hospital. Ex. M13 which is the report given by Janardhan Rao Assistant Engineer on 21-8-1982 to the Safety Manager to show that he asked the report of first shift from M. Rajaiah Fitter and that the said Rajaiah without producing the same he grew violent and started abusing in filthy language and hit him on his left ear. On that the Deputy Chief Mining Engineer made a remark and that he gave a report in the Report Book Ex.M17 about writing the word Transport with a question mark and writing there "You are supposed to give the work in detail, you did not give why?"

whereupon the said incident said to have taken place. Of course the works statement of Rajaiah as shown under Ex. M17 showed that SOL belt 2 rips removed and joining SOL and JIK Crans belt gear head dismantled to section also. In the green ink the Deputy Chief Engineer is said to have been written on 23-8-1982 stating that Janardhan Rao reported that Rajaiah Fitter beat him in his office in the presence of L. Krishna, L.C. Ramulu, Fitter and Raj Mohammed at about 3.15 p.m. This is something strange. Even according to M.W6 who was the Deputy Chief Engineer, Rajaiah came to him first on 21-8-1982 stating that he was beaten by the Assistant Engineer with an iron rod and complained that Superintendent of Mines refusing to give a letter to the hospital for his treatment of his injury caused in the incident and he admitted that Rajaiah shown to him a injury on his hand which is said to be a scratch and then when he insisted for such a letter he instructed the Manager that he may be given a letter for treatment and then he along with the Iron of the Engineer's office called for the witnesses and then there were no witnesses present. If so, how is that he has written report in green ink on 23-8-1982 when he visited the scene of occurrence on 21-8-1982 itself. Therefore there seems to be something wrong in the official machinery taking up the cause of Assistant Engineer Janardhan Rao. It is said that M.W5 made a prima facie enquiry and examined Ramulu and Raj Mohammed and he was satisfied that Rajaiah behaved violently with Janardhan Rao, though he conducted the preliminary enquiry stating that incident took place on 21-8-1982 as the Head of the Department in the place he did not submit any preliminary report to anybody. Finally he blurted out that he made no preliminary report but he made only preliminary enquiry and he did not give Police complaint that he was aware of any such complaint being given by anybody when M.W6 was in the witness box. This Ex.M17 report which was endorsed by him with green ink was not shown to be elicited why he wrote on 23-8-1982. In fact M.W. 2 mentioned that M.W. 6 made remarks in the report in green ink on Ex.M17 on his written complaint Ex.M13. It is his case that the Management gave a charge sheet to him. But Ex. M13 mentioned as if that Rajaiah did not produce any report and when he questioned him he got wild and started using abusive language and hit him on his left ear. He did not mention that Executive Engineer was present and that it happened in his office and that Raj Mohammed and Ramulu were also present at the time of incident. It is endorsed on that in the presence of Krishna, Executive Engineer early complaint was received at 3.40 p.m. and the case was enquired by him to gather details from Ramulu and Raj Mohammed and according to him there looks to be some aggressive action by Shri Mr. Rajaiah. This is dated 22-8-1982 i.e. on the next day. In fact M.W. 3 Executive Engineer admitted that he saw the bleeding injury on left arm of Rajaiah and Executive Engineer mentioned that he did know whether Rajaiah submitted complaint against Janardhan Rao before the complaint of Janardhan Rao or afterwards. This would show that he is trying in his own way to support the officer. Even admitting that all Fitters are supposed to submit reports along with the transportation of materials when the said worker refused to submit the report regarding the transportation of material as Fitter, there was no necessity for him to insist and argue for two or three times. He could have put the same thing as Superior in writing and brought it to the notice of the higher authorities for necessary action without complicating the matters or persisting the matters to such a level. As per the evidence of M.W2 there is a question and answer duel for some time between the Assistant Engineer and Fitter and finally both raised their voices and tension prevailed and emotions exhibited and scuffle ensued and admittedly there was an injury on the hand of Rajaiah and it is the case of the Management Assistant Engineer is beaten on his left ear. The workers namely Tindal and another Fitter who were examined as Ex. M.W5 and M. W4 respectively turned hostile to the Management's evidence. The Enquiry Officer M.W1 admitted that he tried to give him fair opportunity and he adjourned the matter from 6-9-1982 to 7-9-1982 and marked as Ex. W11 and afterwards he conducted the enquiry exparte. On 2-9-1982 the workman did not attend the enquiry and on 6-9-1982 that he was present at the time of enquiry. He did not participate in the enquiry and on 7-9-1982

he was not present and therefore he proceeded with the enquiry exparte. He was appointed as enquiry officer under Ex. M14. Now the date of enquiry is fixed to 6-9-1982 by the Superintendent of Mines and Rajaiah wanted that the enquiry be adjourned to some time during the working hours as he was working in the night shift, but the enquiry was adjourned to 6-9-1982 at 4.00 p.m. and it is said that Rajaiah was present and said he was tired and not prepared to examine. Admittedly he was on duty till 3.30 p.m. even according to the management. If the enquiry is fixed at 4.00 p.m. after hard work for the day and when he said that he is tired, taking the same also into consideration I do not think that the said request is unfair request. The Enquiry Officer should have a fixed time during the working hour or some time later whichever is convenient to the worker. It would have not created any loss or inconvenience for the worker or for the Management. The question of principles of natural justice to see the convenience of both sides even when the matter is adjourned to 7-9-1982 must be seen. The enquiry was done exparte and therefore all the enquiry statements which are marked under Ex.M14 especially Exs.M23 and M24 are denied by M.W4 and M.W5 as the statement given by them. It is their case that they were dictated at the instance of the Management. While the worker was very prompt in reporting the matter about the incident and there was clear indication that he was approaching the Superintendent of Mines as well as the Deputy Chief Engineer with reference to the incident in Ex. M13 there was no mention about the presence of these workers given in the complaint to the Assistant Engineer or method and manner of provocation leading to the beating and the enquiry supposed to be conducted by the Deputy Chief Engineer as a sort of preliminary way and the same was not in writing and all this would show that in as suffice for which both the Assistant Engineer and Rajaiah were responsible in their own way, the Management tried to justify the action of Assistant Engineer Janardhan Rao in a most unjustified manner ignoring the correct and real facts leading to the scuffle or after action between the two individuals in an emotional situation or in the given situation which is peculiar. The very evidence of M.W2 would show that he was insisting upon and repeatedly insisting upon the worker to give a report about the transportations of material and he began to write showing adverse comments while he did not even mention about other aspects of work done and also made the situation worse by asking a sub-ordinate after he gave the report as contained under Ex.M17. Further he should have given a written report against Rajaiah, to the higher authorities with all details of incident in a clear manner. No doubt charge sheet is dated 23-8-1982. It can be explained for the delay but to say that the charge sheet Ex. M3 ever when it was issued two days after the incident on 23-8-1982 did not report that he refused to give a report regarding transportation of material leading to use of abusive language and filthy language is the crucial matter. No doubt the report would show stating that he Rajaiah did not give report regarding the transportation of materials also. For non-reporting of the transportation of materials which was done or which was not done there is a method and manner of taking action instead of insisting or questioning in irritation and demanding it as a matter of right. It is a tactless action and the Assistant Engineer cannot be innocent party as a matter of fact. So the reason for alleged beating given on his left ear of Assistant Engineer or the reasons for having bleeding injury or scratch on the left forearm of the Fitter Rajaiah and the matters which are in the personal knowledge between the two persons. It is strange that the other side matter (Rajaiah's) though was reported in the first instance and that it was referred to hospital and though he approached the Deputy Chief Engineer in the first instance, Rajaiah's case or Rajaiah's version was brushed aside and no enquiry was conducted and the cognisance of the report of the Assistant Engineer is taken two days later though he was not sent to the hospital and so-called preliminary enquiry done by the Deputy Chief Engineer was not in writing and the Enquiry Officer thinks fit that he should close the enquiry as the person who was involved in the occurrence being Fitter having done duty upto 3.30 p.m. mentioned that he was tired and could not have the enquiry on a different time and date as wanted it to be done during the working hours. The

enquiry officer conducted this ex-parte enquiry against Rajaiah finally. All this would show that they were waiting for an opportunity to punish Rajaiah for reasons unknown perhaps for the previous conduct as mentioned in their chief examination which cannot be taken into consideration for the charge on hand.

15. In a case reported in VED PRAKASH GUPTA v. DELTON CABLE INDIA (P) LTD 1984 LLJ. (page 346), when the appellant therein was dismissed from service on the ground that he used abusive language and that it entailed in the employer losing confidence in him. The Supreme Court held that using abusive language is not a serious one and it is not known how the charge even if proved, would result in any, much less total, loss of confidence of the management in the appellant. First of all in the instant case there is no fair opportunity given to Rajaiah in the domestic enquiry and the other side of the version involved resulting in scuffle between the two persons was the resultant provocative attitude taken by both the Assistant Engineer as well as the worker who came out of the work after tiresome duty and there was no necessity for such alteration and the Assistant Engineer is also responsible for the same and the Management miserably failed for not enquiring into the other sides version which was brought to their notice even earlier in a fair manner to know the real truth. Ultimately the workers M. W4 and M.W5 supported the worker Rajaiah (W.W1) in the evidence and the management witnesses M.W3 supported the management's witness M.W2. But both sides disclosed that there was a scuffle and it was the result of insisting by the Assistant Engineer for certain writings in the report which were not there. If the transportation of materials is part of the duty of Rajaiah and if it is not reported in the report book of the Fitter, he should have taken appropriate action in the normal way instead of harping upon it and creating a provocative and volatile situation for which he is alone responsible. Looking from any angle I do not find any justification for holding that Rajaiah is guilty of any misconduct in the given situation.

16. In the given circumstances I hold that the Management of Singareni Collieries Company is not justified in dismissing M. Rajaiah, Fitter from service with effect from 1-2-1983 and that he is entitled to all service benefits and attendant benefits with back wages and he should be reinstated forthwith.

Award is passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 10th day of February, 1986.

Sd.:-

(Illegible)

INDUSTRIAL TRIBUNAL

Appendix of Evidence

Witnesses Examined
for the Workmen :

W.W1 M. Rajaiah

Witnesses Examined
for the Management :

M.W1 C. Simhachalam

M.W2 Ch. V. Janardhana Rao

M.W3 L. Krishna

M.W4 Rajmulu

M.W5 Raj Mohanmad

M.W6 U. Rama Rao

Documents marked for the Workmen :

Ex.W1 Complaint dt. 21-8-82 made by M. Rajaiah to the Superintendent of Mines, G.D.K. No. 7 Incline.

Ex.W2 Accident report dt. 21-8-82 with regard to M. Rajaiah.

Ex.W3 Charge Sheet dt. 23-8-82 issued by Superintendent of Mines, G.D.K. No. 7 Incline to M. Rajaiah, Fitter.

Ex.W4 Explanation dt. 26-8-82 given by M. Rajaiah to the Superintendent of Mines, G.D.K. No. 7 Incline.

Ex.W5 Cover addressed to the Colliery Manager, GDK No. 7 Incline Post Godavarikhani District Karimnagar under Certificate of Posting by M. Rajaiah.

Ex.W6 Notice of enquiry dt. 1-9-82 issued by the Superintendent of Mines, G.D.K. No. 7 Incline to M. Rajaiah.

Ex.W7 Notice dt. 2-9-82 issued by the Supdt. of Mines G.D.K. No. 7 Incline to M. Rajaiah with regard enquiry into the charge sheet.

Ex.W8 Representation dt. 5-9-82 made by M. Rajaiah to the Superintendent of Mines, GDK No. 7 Incline with regard to conduct the enquiry during working hours.

Ex.W9 Letter dt. 5-9-82 addressed by Superintendent of Mines, GDK No. 7 Incline to M. Rajaiah stating that the enquiry to be held on 6-9-82 at 4.00 p.m.

Ex.W10 Letter dt. 6-9-82 addressed by Superintendent of Mines, GDK No. 7 Incline to M. Rajaiah with regard to enquiry into chargesheet.

Ex.W11 Letter dt. 9-9-82 addressed by M. Rajaiah to the Superintendent of Mines, GDK No. Incline requesting for postpone the enquiry.

Ex.W12 True copy of the dismissal order dt. 20-1-83 issued by the Additional Chief Mining Engineer, Ramagundam Division-III to M. Rajaiah.

Ex.W13 Letter dt. 7-9-82 addressed by M. Rajaiah to the Superintendent of Mines GDK No. 7 Incline requesting for postpone the enquiry.
Documents marked for the Management :

Ex.M1 High Court Order dt. 8-3-83 in W.P. No. 9451/82.

Ex.M2 Copy of the Writ Petition filed by M. Rajaiah in High Court of judicature of Andhra Pradesh at Hyderabad.

Ex.M3 Charge sheet dt. 23-8-82 issued by the Superintendent of Mines, G.D.K. No. 7 Incline to M. Rajaiah, Fitter.

Ex.M4 Letter dt. 1-9-82 addressed by Superintendent of Mines, GDK No. 7 Incline to M. Rajaiah, Fitter and directed him to appear before P.O. Rg. III in the Office of the Supdt. of Mines GDK No. 7 Incline at 8.30 A.M. on 2-9-82 along with his witnesses.

Ex.M5 Letter dt. 1-9-82 addressed by Superintendent of Mines, G.D.K. No. 7 Incline to Raj Mohammed in connection with the enquiry into the charge sheet issued to M. Rajaiah Fitter.

Ex.M6 Letter dt. 2-9-82 addressed by Superintendent of Mines G.D.K. No. 7 Incline to M. Rajaiah Fitter and directed him to attend the enquiry into the charge sheet on 6-9-82.

Ex.M7 Letter dt. 2-9-82 issued by Superintendent of Mines, G.D.K. No. 7 Incline to Raj Mohanmad in connection with the enquiry in to the charge sheet issued to M Rajaiah.

Ex.M8 Letter dt. 5-9-82 addressed by M. Rajaiah, Fitter to the Superintendent of Mines, G.D.K. No. 7 Incline requesting that the enquiry should be fixed during his working hours or arrange for overtime wages.

Ex.M9 Letter dt. 5-9-82 addressed by the Superintendent of Mines, GDK No. 7 Incline to M. Rajaiah, Fitter and advised him to attend the enquiry on 6-9-82 at 4.00 p.m. along with witnesses if any tailing which enquiry will be conducted ex-parte.

Ex.M10 Letter dt. 6-9-82 addressed by C. Simhachalam, Enquiry Officer to the Superintendent of Mines,

GDK No. 7 including stating that another charge be given to enquiry on 7-9-82 as Rajaiah walked out of the room saying that he is not having patience to defend his case.

Ex.M11 Letter dt. 6-9-82 addressed by Superintendent of Mine GDK No. 7 Incline to M. Rajaiah, Fitter stating that you are given a chance once again to attend the enquiry into the charge sheet on 7-9-82 at 5.00 p.m. along with witness if any ailing which enquiry will be conducted exparte.

Ex.M12 Complaint dt. 21-8-82 given by M. Rajaiah, Fitter to the Superintendent of Mine GDK No. 7 Incline stating that he was beaten by Ch. Janardhan Rao, A.E. with an iron rod.

Ex.M13 Complaint dt. 21-8-82 given by Ch. Janardhana Rao, A.E. to the S.M. GDK No. 7 Incline stating that Rajaiah became violent and started abusing in filthy language and hit him on the left ear.

Ex.M14 Domestic Enquiry Report pertaining to M. Rajaiah, Fitter.

Ex.M15 Enquiry Report dt. 3-11-82 pertaining to M. Rajaiah, Fitter.

Ex.M16 Belt Report Book from 18-8-82 to 21-8-82.

Ex.M17 Report of M. Rajaiah on 21-8-82 (In Ex. M16)

Ex.M18 Material transport report book maintained by M. Rajaiah.

Ex.M19 Report of M. Rajaiah on 11-2-82 (In Ex.M18)

Ex.M20 Belt Report Book 12-8-82 to 24-8-82.

Ex.M21 Report of M. Rajaiah on 24-8-82 (In Ex. M20)

Ex.M22 Report of M. Rajaiah on 18-8-82 (In Ex. M16)

Ex.M23 Statement of M. Ramulu in Ex. M14 at page 15.

Ex.M24 Statement of Md. Rajamohammed in Ex. M14 at page 7.

Ex.M25 Report of M. Rajaiah on 20-8-82 (In Ex.M16)

Ex.M26 Report of B. Ramachander on 19-8-82 (In Ex.M16)

Ex.M27 True copy of the letter dt. 23-8-82 addressed by Supdt. of Mines GDK No. 7 Incline, Ramagundam Division to M. Rajaiah with regard to show cause notice with an endorsed of Enquiry Officer on 2-9-82.

Dt. : 21-2-86

I. VENUGOPALA RAO, Industrial Tribunal
[No. L-22012/22[84-D.III(B)]

का. आ. 1439 :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ईस्टर्न मैंगनीज एंड मिनेरल्स लिमिटेड, पी. ओ. कोदरमा, जिला हजारीबाग के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12 मार्च, 1986 को प्राप्त हुआ था।

S.O. 1439.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Eastern Manganese and Minerals Limited, P.O. Kodarma, District Hazaribagh, and their workmen, which was received by the Central Government on the 12th March, 1986.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 70 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Messrs. Eastern Manganese and Minerals Limited, Post Office Kodarma, District, Hazaribagh and their workmen.

APPEARANCES :

On behalf of the employers : Shri B. Joshi, Advocate.

On behalf of the workmen : Shri J. P. Singh, Advocate.

STATE : Bihar

INDUSTRY : Mica

Dated, the 28th February, 1986

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-27012/14/85-D, III(B) dated the May, 1985.

SCHEDULE

"Whether the action of the management of Messrs Eastern Manganese and Minerals Limited, Post Office Kodarma, District Hazaribagh in terminating the services of Shri Vasudeo Modi in disregard to the provisions of the Industrial Disputes Act is legal and justified? If not, to what relief is the workman concerned entitled?"

The case of the concerned workman is that Shri Vasudeo Modi was working as Surveyor since 21-11-54 with the management of M/s. Eastern Manganese and Minerals Ltd. The dues of the concerned workman accumulated on various accounts amounting to Rs. 27,000/-. The management asked for the details of the said dues to which the concerned workman gave a letter to the management showing the accounts of his dues. There was some correspondence regarding the said dues between the concerned workman and the management. The concerned workman submitted a letter dated 15-5-82 before the management and the said letter was treated as a letter of resignation. The management sat tight over the letter dated 15-5-82 and did not pay his dues and forced to continue him in the employment for more than three years giving an understanding to the concerned workman that his letter of resignation dated 15-5-82 was not accepted. The concerned workman by letter dated 16-8-82 withdrew his resignation letter dated 15-5-82 giving reasons for the withdraw of the resignation. The said letter withdrawing the resignation was sent by the workman to the management under certificate of posting dated 17-8-82. In spite of the withdrawal of the resignation by the concerned workman, the management by his letter dated 3-2-84 accepted his resignation dated 15-5-82 with effect from the date of issue of the acceptance of the resignation letter. The director of Mines Safety addressed a letter to the concerned workman dated 22-2-84 showing that the management had terminated the services of the concerned workman from 11-2-84 and the said letter would show that the services of the concerned workman was terminated by the management and that the acceptance of his resignation was not true. The concerned workman was entitled to withdraw his resignation prior to the acceptance of the resignation by the management and the concerned workman had withdraw his resignation long before the date of acceptance of the resignation and as such the management was not justified in accepting his resignation dated 15-5-82. The concerned workman approached the management for setting aside the acceptance of his resignation but the management refused to set aside the order of the acceptance of his resignation. Thereafter the concerned workman raised an industrial dispute which led to the

present reference. It is prayed that the order of the management in terminating his services may be held to be unjustified and that he should be reinstated with continuity of service and all back wages with effect from the date of termination of his services.

The case of the management is that the concerned workman was a part time Surveyor of Eastern Manganese and Minerals Ltd. and he was working as Surveyor of several other mines belonging to other owners. He was not a workman of the management and was carrying a statutory duties of a surveyor purely on a contract basis. The concerned workman was working as a part time surveyor during the period of private management and on several occasions he was working as Surveyor of other private owners on the basis of authorisation giving to him by the DGMS. Some of the mines of Eastern Manganese and Minerals Ltd. had been closed and the mining leases had been cancelled when the receiver, who is the present owner, took over charge of the remaining mine on 6-6-80. On 14-8-80 the concerned workman joined as Surveyor with the new management in respect of Sugi Mines and a notice in Form I was sent to DGMS. He was appointed as Surveyor of Persa mine with effect from 1-11-80 and a notice in Form-I was sent to the DGMS. The management opened the closed mines one after another and the concerned workman was authorised to work as Surveyor of 6 mines by letter dated 18-1-82. The DGMS objected to the proposal of the management to permit the concerned workman to work as a Surveyor of the 6 mines of the management as he was already working as Surveyor of other mines belonging to other companies in as such as the maximum number of mines which can be under the charge of a surveyor is 6 mines only. Thereafter the management requested the concerned workman to work as Surveyor of all the 6 mines belonging to the management as full time surveyor as he was being the wages of full time surveyor. The concerned workman refused to accept the request of the management and continued to work as surveyor of only 2 to 3 mines of the management as a result of which the management was compelled to appoint another part time surveyor in respect of his other mines. The concerned workman subsequently submitted his resignation letter dated 15-5-82 and demanded payment of all his dues. The DGMS by his letter dated 28-1-84 permitted the concerned workman to work as surveyor of 9 mines out of which only 3 mines belong to the present management. The management by its letter dated 3-2-84 was obliged to accept the resignation of the concerned workman with effect from 3-2-84 explaining the circumstances under which the management was obliged to accept his resignation dated 15-5-82 which was pending since long. The matter was duly intimated to the DGMS and the authorisation given to the workman to work as surveyor of three mines of the management was withdrawn and the authorisation of 6 mines belonging to the other companies remained valid as per letter dated 22-2-84. The surveyor cannot work more than 6 mines satisfactorily and the DGMS does not generally grant permission to a surveyor to work more than 6 mines but in the present case DGMS had with much reluctance granted permission to the concerned workman to work 9 mines. But it was beyond his capacity to perform his duties as surveyor for the 9 mines. As the concerned workman had submitted his resignation long ago and inspite of several requests he did not agree to work as Surveyor of all the 6 mines of the management although he was paid salary of full time surveyor, the management had no option but to accept his resignation vide his letter dated 3-2-84. It is submitted that the action of the management was legal bonafide and in accordance with the principles of natural justice. It is further submitted that this is not a case of termination of service and that the management had only accepted the resignation made by the concerned workman.

The point to be considered in the present reference is whether the management was justified in terminating the services of the concerned workman by accepting his resignation after a long lapse of time in disregard to the provisions of the I.D. Act.

The management examined two witnesses in support of its case. The concerned workman examined himself as MW-1 in support of his case. The documents produced on behalf

of the management are marked as Ext. M-1 to M-16 and the document of the concerned workman are marked as Ext. W-1 to W-6 series. The management has raised an objection that the present reference is illegal and void in as much as the concerned workman being a part time surveyor of the management cannot be treated as a workman of the management. Firstly on the point of fact whether, the concerned workman was a part time or full time employee of the management. It will appear from the very W.S. of the management that he was paid salary of full time surveyor and as such it cannot be said that the concerned workman was a part time surveyor of the management. More over even a part time worker may be covered under the definition of a workman under Sections 2(s) of the I.D. Act. The concerned workman WW-1 has stated that he was appointed as a surveyor in M/s. Eastern Manganese and Minerals Ltd. on 21-11-54 and since then he was on its continuous service. He had contributed to the P.F. out of his salary. His services continued as surveyor during the period of receiver also. MW-2 in his cross examination has stated that he was working in the Eastern Manganese and Minerals Ltd. since 1940 and that he knew the concerned workman since 1960 when he had seen the concerned workman working as Surveyor in the Company. MW-1 has stated that all the persons who were working in the three mines of the erstwhile management were taken in the employment when the receiver took charge of the mines. He has further stated that no fresh appointment letter was issued to the old workmen but were taken in the employment of the receiver. The management does not specifically say that the appointment of the concerned workman as surveyor was the fresh appointment by the receiver. Ext. W-5 is a certificate of the year 1968 by A. N. Kalia, Chief Mining Engineer of Eastern Manganese and Minerals Ltd. which shows that the concerned workman was working as a surveyor of the said concern for the last 14 years. Ext. W-4 series are the employees P.F. accounts to show that the concerned workman was contributing towards P.F. since the year 1962-63. It has not been denied on behalf of the management that P.F. was not being deducted from the salary of the concerned workman by the erstwhile management. Ext. W-2 also shows that he was working as full time surveyor of Eastern Manganese and Minerals Ltd. and that his salary had also been enhanced by the management as a full time surveyor. All these evidence shows that the concerned workman was a full time workman of the management and that his appointment was not as part time surveyor. I hold therefore that he was a workman of the management as provided under Section 2(s) of the I.D. Act.

In the W.S. it has been stated on behalf of the concerned workman that his letter dated 15-5-82 was misconstrued and treated as a letter of resignation by the management. But the workman himself has set the said controversy at rest by stating that on 15-5-82 he had filed a petition for resignation. The management did not file the resignation letter which had been filed but the concerned workman himself has filed his copy of the resignation letter which is Ext. W-1 in this case. It will appear clear from Ext. W-1 that he had filed a letter of resignation on 15-5-82 stating that he was not in a position to continue his service due to some troubles in his family affairs. He had prayed that he may be relieved from his duty with effect from 15-5-82 after accepting his resignation. The management accepts that the concerned workman had filed the letter of resignation dated 15-5-82. It is also admitted by the management that he had not accepted the said resignation soon after its filing and that it was accepted on 3-2-84 after about a year and 9 months. It was for the management either to accept or to reject the said petition soon after the filing of the resignation letter by the concerned workman. But the management kept quiet sitting silent and allowed the concerned workman to continue working in the mines. WW-1 has stated that the letter of his resignation dated 15-5-82 was accepted by the Receiver on 31-7-82 and thereafter a compromise was arrived at between him and the management by which the management agreed to pay his dues and he was asked to withdraw his resignation and that thereafter he had withdrawn his resignation vide Ext. W-4/1 and that after the said withdrawal the Receiver asked him to continue his work. This part of the evidence of WW-1 does not appear to be correct and it was not stated so earlier in his W.S. filed in this case. There is no paper to show that the management had accepted his resignation on 31-7-82 and that

he was asked to withdraw his resignation. This is a new case which has been developed during the evidence in order to justify and show the correctness of the filling of withdrawal of the resignation by WW-1. The fact remains that the letter of resignation of the concerned workman was not accepted by the management till before 3-2-84 and the evidence of the workman that his resignation was accepted earlier on 31-7-82 does not appear to be correct. The fact that the concerned workman was allowed to continue his work as Surveyor even after filling of the resignation dated 15-5-82 shows that the management ignored the letter of resignation and allowed the concerned workman to continue his duty. The workman also, it appears, did not insist on the acceptance of his resignation and agreed to continue to work for the management. It is clear therefore that neither the management nor the concerned workman acted on the said resignation letter dated 15-5-82 and that both the parties ignored the said resignation and the concerned workman continued to work as Surveyor for the management.

The next question is whether the management could accept the resignation of the concerned workman after a lapse of about one year and 9 months and could the management keep the said letter of resignation pending so long it intended and could take advantage of it whenever it so desired. Time of acceptance is an important factor in deciding whether the management really intended to accept the said resignation or it ignored by not accepting it. The concerned workman has stated that he had filed a letter of withdrawal of his resignation vide Ext. W-4/1. W-4/1 is the copy of the concerned workman dated 16-8-82 which shows that he had intimated the management to withdraw his resignation letter dated 15-5-82. The case of the management, on the other hand, is that no such withdrawal letter was received by the management. MW-1 has stated that the letters received in his office are entered in the Receipt Register but he did not find the letter of withdrawal of the concerned workman either entered in the Receipt Register or the said letter in the office. Ext. M-16 is the receipt register but the same does not show any entry of the letter of withdrawal of the concerned workman dated 16-8-82. MW-1 has further stated that personal files of the concerned workman is maintained in the mining section of his office under the charge of Shri T. S. Banerjee, he has further stated that separate files are maintained for appointment, leave, resignation, withdrawal of resignation etc. and they are not kept in one file. He has stated that he had not seen all the files concerning the concerned workman before coming to the Court. It will thus appear that MW-1 had not searched all the files relating to the receipt of the withdrawal of resignation by the concerned workman and as such his evidence cannot be relied upon to show that the concerned workman had not filed the withdrawal letter MW-2 has stated that the resignation letter submitted by the concerned workman had not been filed by the management on which the Receiver had passed the order. His only ground to show that the concerned workman had not filed the letter of withdrawal of resignation is on the ground that there is no entry in the receipt register to show that any withdrawal letter of the concerned workman was received. He has stated that the concerned workman had not filed any petition for withdrawal of resignation. MW-2 has no personal knowledge of the non-receipt of the withdrawal letter and is based on the entry in the register Ext. M-16. The concerned workman has positively stated that he had sent his withdrawal letter and has also filed its office copy. The fact that the management had not accepted the resignation letter of the concerned workman earlier shows that the concerned workman had filed a letter of withdrawal of the resignation dated 16-8-82 and as such the management did not accept his resignation and treated the resignation letter as withdrawn and allowed the concerned workman to do his duties of a Surveyor till 3-2-84.

Ext. W-3 is a letter dated 22-2-1984 written by the Director of Mines Safety to the concerned workman which shows that the Receiver of M/s. Eastern Manganese and Minerals Ltd. vide his letter dated 11-2-84 informed that the appointment of the concerned workman as a Surveyor was terminated with effect from 11-2-84. In respect of 6 mines and as such the authorisation granted for 6 mines was withdrawn. Ext. W-2 which is the acceptance of the resignation letter sent to the concerned workman by the Receiver shows that the concerned workman had to do the work of Surveyor in respect of

6 mica mines owned by the management but the concerned workman did not care to carry out the assignment entrusted to him. It is further stated that the management learnt that the concerned workman had been working for other mines owned by other Co's without even caring to take prior approval of the management under whom he was working as a Full time surveyor which indicates that the concerned workman was unwilling to work under the management. It further states that although there are instances of misconduct on the record on the part of the concerned workman, his resignation letter was being accepted by the management with affect from 3-2-84 taking a lenient view of the matter. Thus this letter Ext. W-2 cannot be said to be a simple letter of acceptance of the resignation of the concerned workman. It has given in detail the acts of misconduct of the concerned workman and has further stated that taking lenient view of the matter the management was not proceeding for misconduct against the concerned workman and was accepting his letter of resignation. It is clear therefore that the acceptance of resignation vide Ext. W-2 was not simply on the basis of the resignation letter of the concerned workman but it was act of the alleged misconduct of the concerned workman that his earlier letter of resignation was being accepted and no step was being taken against him for the act of his misconduct. Taking the above facts into consideration it will appear that this is not a simple letter of acceptance of resignation but in effect it is termination of the services of the concerned workman for the act of his misconduct. The fact that the concerned workman had committed acts of misconduct could be dealt with by framing charge against the concerned workman and conducting a domestic enquiry against him. As the concerned workman has not been chargesheeted and proceeded in a domestic enquiry I am of the opinion that the termination of his services is not at all justified and as such termination of service has to be set aside in view of the fact that in the garb of accepting the letter of resignation, it is in fact the termination of the services of the concerned workman for misconduct without holding a proper enquiry against him. The concerned workman has stated in his evidence that he is working in other mines after 3-2-84 after his resignation was accepted by the management. In view of the fact that the concerned workman was working in other mines and had kept himself engaged, do not feel inclined to give any back wages for the period from the date of his acceptance of his resignation.

In the result, I hold that the action of the management of M/s. Eastern Manganese and Minerals Ltd. in terminating the services of the concerned workman Shri Basudeo Modi in disregard to the provisions of the I.D. Act is not at all legal or justified and as such the concerned workman is entitled to be reinstated to his job from 3-2-84 but as he has kept himself engaged as Surveyor in other mines after 3-2-84 he will not be entitled to any back wages.

This is my Award.

DI. 28-2-86.

I. N. SINHA, Presiding Officer
[No. L-27012]14[85-D.III(B)]

का.प्र. 1440:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिम्प्रेनी कोलयरिज कम्पनी लिमिटेड, कोठागुडम, जिला खम्माम के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11 मार्च, 1986 को प्राप्त हुआ था।

S.O. 1440.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management

of Singareni Collieries Company Limited, Kothagudem, Distt. Khammam and their workmen, which was received by the Central Government on the 11th March, 1986.

**BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD**

PRESENT :

Sri J. Venugopala Rao, Industrial Tribunal,
Industrial Dispute No. 7 of 1984

BETWEEN

The Workmen of Singareni Collieries,
Company Limited, Kothagudem,
Khammam District. A. P.

AND

The Management of Singareni Collieries,
Company Limited, Kothagudem,
Khammam District.

APPEARANCES :

Sarvasri G. Bikshapathi and V. Ravinder, Advocates—
for the Workmen.

Sarvasri K. Srinivasa Murthy, H. K. Saigal and
Kumari G. Sudha, Advocates—for the Management.

AWARD

The Government of India, Ministry of Labour and Rehabilitation by its Order No. L-22012/95/83-D. III(B) dated 10-2-1984 referred the following dispute under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 between the employers in relation to the management of M/s. Singareni Collieries Company Limited, Kothagudem and their Workmen to this Tribunal for adjudication :

"Whether the action of the management of Messrs Singareni Collieries Co. Ltd., in dismissing Shri Khaja Tamejuddin, Clerk Gr. I, Venkatesh Khani No. 7 Incline, from service with effect from 9-12-82 is justified? If not, to what relief is the workman concerned entitled and from what date?"

This reference was registered as Industrial Dispute No. 7 of 1984 and notices were issued to both the parties.

2. In the claims statement filed it is mentioned that the workman Khaja Tamejuddin was appointed as Junior Clerk on 28-8-1961 and was promoted in 1966 as Senior Clerk. It is his case that he is maintaining unblemished record of his service. In February 1977 the workman was transferred to the Central Workshop of the Company at Kothagudem and posted to Stores Section. As per the practice in vogue the workman had to discharge the job as entrusted to him from time to time by incharge Assistant Engineer Stores. His nature of duties in the Stores was to issue material after receiving Store Issue Slip duly signed by the concerned Engineer. He was working under the direct supervision and instructions of Assistant Engineer, Stores Sri K. Sivaramakrishna Rao. The Petitioner-workman had no specific allocation of duties and allotment of work except carrying out the instructions of the Assistant Engineer.

(a) The Bin cards are maintained for each Stores showing the stock position of particular item. This bin card is maintained by another Grade I Clerk by name V. P. Panduranga Rao. The workman never maintained this bin cards. At times the Assistant Engineer, Stores used to maintain bin cards and the workman has nothing to do with the position of stores nor was he maintaining the records in this regard. The entire work was done by Sri P. Panduranga Rao under the instructions of Assistant Engineer, Stores. Whenever this workman was on leave the work was looked after by the said Panduranga Rao. There used to be

no handing over or taking over process whenever the workman was away on leave. Only the Workman used to handover the keys to Sri Panduranga Rao or to the Assistant Engineer concerned.

(b) The workman was on sick leave on 27-8-1981 and 28-8-1981 when Sri Panduranga Rao was asked to look after his work. He had indicated that unless he was allowed to look after the stores work on regular basis, he would not work. However on the instructions of his superiors Panduranga Rao was asked to work for these two days.

(c) When the Petitioner workman reported for duty on 29-8-1981 he was asked to work in Production, Planning & Control (PPC) Department. Panduranga Rao was attending to the work of issuing of material also apart from the posting the entries in bin cards. While so the internal audit party conducted surprise check in the Stores as many as five times during the four years stay in the Stores and no irregularities whatsoever were detected. Panduranga Rao continued to work from 27-1-1981 in the place of this workman apart from his work. In fact this workman was neither asked to handover the charge nor was there any written direction in this regard.

(d) It appears that the Police is reported to have recovered T. C. tips which were alleged to be stolen from the Central Workshop. The Officers after inspecting the Stores confirmed that the said T. C. tips belonged to the Central Workshop. Immediately thereafter a thorough search was made in the Stores while the persons including the concerned clerk Panduranga Rao and found that there was shortage of 7,585 numbers of T. C. tips. The physical verification conducted revealed that there was a total shortage of about 13,702 pairs. This workman had nothing to do with the said shortage of T. C. tips.

(e) On 27-3-1982 the Divisional Engineer issued charge sheet to this workman and Panduranga Rao alleging that the posting of receipt of items in bin cards was deliberately omitted to cover up the shortage and balance while carrying forward from bin cards to another as on 19-12-1981 and deliberately undercast to make good the shortage. The maintenance of bin cards and posting was being done by Panduranga Rao since a long time and the workman had nothing to do with the said shortages. Therefore the charge sheet issued to this workman is only issued in mechanical manner without considering his explanation. They ordered joint enquiry on K. Sivaramakrishna Rao and Panduranga Rao and his workman. The said enquiry was conducted in a most unfair and unreasonable manner. Except examining the Divisional Engineer the Management did not examine any other witnesses. As far as this workman is concerned there is no evidence whatever against him in relation to the charges framed. Curiously the Enquiry Officer held that this workman cannot escape the charge of dereliction of duty in not making arrangement for proper handing over and taking over of charge, and this finding is perverse and unwarranted. Thus he is found guilty of Standing Order 16(6) for misconduct. Ultimately the disciplinary authority concurred with findings in a routine manner and passed dismissal order on 8/9th December, 1983.

(f) Thus the workman is not given an opportunity of fair enquiry and reasonable opportunity and he is held guilty with a perverse, arbitrary findings of the enquiry officer. At any rate the punishment of dismissal is too severe and shockingly disproportionate to the gravity of the misconduct. The workman stated that the dismissal order is unjustified and wanted the same to be set aside to pass award directing the management to reinstate the workman with full back wages and other attendant benefits.

3. In the counter filed by the Management it is mentioned that during his tenure as Clerk in the Central Workshop till 27-8-1981. From February 1977 he was entrusted with the Stores section and was incharge of receipts and issue of store materials as per the indents from time to time and

for keeping the account for the material issued and receipt by him. It is the responsibility of the petitioner to hand over the charge of the stores to the successor and failure to do so did not absolve him of the charges levelled against him. Based upon actual stock verification of the Central Workshop Stores of which he was holding charge in the middle of February 1982 it was found that there was a shortage of 13,700 pairs of Tungsten Carbide Tips valued at Rs. 3.06 lakhs. Sri Tameejuddin was on duty and therefore he was chargesheeted on 27-3-1982 for misconduct under the Company Standing Orders 16(2) and 16(6). A detailed enquiry was conducted by the Enquiry Officer and he was given full opportunity to cross-examine the witnesses of the Management and to examine his witnesses. After going through the enquiry report the disciplinary authority thought fit to award dismissal of his punishment in view of the serious misconduct proved against him. He was dismissed from service with effect from 9-12-1982. According to him this practice is in vogue and he was discharging all the job entrusted to him by the superiors. Prior to the appointment of B. Panduranga Rao, Tameejuddin used to maintain bin cards and also discharged all the duties of a Clerk of a Store. After the appointment of P. Panduranga Rao he was discharging all the duties entrusted to him from time to time by the Superiors and he was also responsible for the materials in the Stores along with Panduranga Rao for the incoming and outgoing materials from the Stores. During the leave period of Panduranga Rao, Tameejuddin is in-charge of the duties of Panduranga Rao also. So it is incorrect to say that he had nothing to do with the stock position of the stores and it was also incorrect that he was not maintaining records in this regard. Both Panduranga Rao and Tameejuddin are solely responsible for the materials in the stores. If any one of them is on leave the other workman is discharging the duties and he take over the responsible to discharge the duties of the other employee and whenever the employee after leave joins duty. He has to hand over the key and also to verify the stock position. It is falsehood to state that the petitioner has no responsibility of handing over the charge. Both Panduranga Rao and Tameejuddin are responsible for shortage of material worth Rs. 3.06 lakhs and these material shortage of course during the period when they were in charge of the stores. It is true that the Management issued a common charge sheet on 27-3-1982 to this workman as well as Panduranga Rao and enquiry was conducted properly and there were no irregularities or infirmities as stated. He was given sufficient opportunity for defending his case. For the gross negligence on his part which resulted in a shortage of material worth Rs. 3.06 lakhs and also past record there was no extenuating circumstances to warrant a lesser punishment and the punishment of dismissal is just and the same is proper. Therefore the petition is liable to be dismissed.

4. No oral evidence has been adduced by both parties except marking of Domestic Enquiry file as Ex. M1 by the Management. M1 file is marked (in pages) in reverse way.

5. At the outset it is necessary to know that the Management filed a Memo seeking to decide the validity of the domestic enquiry as preliminary issue on 4-12-1984 and Sri G. Bikshapathi Council for the Workman endorsed on that stating that the domestic enquiry was conducted properly and therefore the same need not be decided as a preliminary issue.

6. Thus the matter is posted to decide whether the action of the Management in dismissing Khaja Tameejuddin, Clerk Grade I Venkatesh Khuni No. 7 Incline from service with effect from 9-12-1982 is justified or not. The admitted facts are that Khaja Tameejuddin was appointed by the Respondent-Company as Junior Clerk on 28-8-1961 and he was promoted as Senior Clerk in the year 1966. He was posted to work in the Central Workshop from February 1977 and he worked at the Central Workshop till 27-8-1981. In the Central Workshop of the Company he was posted in Stores Section. He was in-charge of receipts and issues of store materials as per the indents from time to time and for keeping account of materials received and issued by him. It is not in dispute that the Bin cards are maintained for

each type of stores showing the stock position of a particular item and thus Bin cards are maintained by another Senior Clerk Grade I by name V. Panduranga Rao at the relevant time. It is admitted that the Clerical staff in the Respondent Company Singareni Collieries Company Limited are transferred to various Divisions of Singareni Collieries Company Limited and Sri Khaja Tameejuddin was transferred to Central Workshop of the Company at Kothagudem in the year 1978 and posted to Stores Section and according to practice in vogue he was discharging all the jobs entrusted to him by the Superiors. It is found from the records the evidence let in the enquiry report that prior to appointment of V. Panduranga Rao, Khaja Tameejuddin used to maintain also Bin cards and also discharge all the duties of the clerk of the stores and after the appointment of V. Panduranga Rao he was discharging all the duties entrusted to him from time to time by the Superiors and he was also responsible for the materials in Stores. Though the enquiry was conducted against both V. Panduranga Rao and Khaja Tameejuddin by the same Enquiry Officer resulting in a common enquiry of two different I.D. No. 7/84 i.e. the present one by Khaja Tameejuddin and I.D. 12/84 i.e. of V. Panduranga Rao who was also dismissed was filed and they were dealt by the Tribunal separately. The Management case simply stated is that both Tameejuddin and Panduranga Rao were responsible for incoming and outgoing of materials in the Stores and that during the leave period of Panduranga Rao Khaja Tameejuddin in fully in-charge to discharge the duties of V. Panduranga Rao also and thus it was incorrect to say that Tameejuddin had nothing to do with the stock position of the Stores and it was also incorrect to allege that he was not maintaining the records in this regard.

7. According to the Management, if one of them is on leave the other workman has to discharge duty and taking over the responsibility to discharge the duties of the other employee and whenever the employee after leave joins the duty he has to hand over the keys and verify the stock position. So according to the Management it was not correct to state that there is no taking over charge process whenever the workman is away on leave.

8. Admittedly the annual stock verification of Central Workshop Stores of which Khaja Tameejuddin was concerned with the issue of materials in the Stores and from time to time to keep accounts of the materials received by them when conducted by the Internal Audit of the Department was done in the middle of February, 1982. There was a shortage of 13,700 pairs of Tungsten Carbide Tips valued at Rs. 3.6 lakhs and during that period Tameejuddin was on duty. Even this appears to have come to light due to Police Report showing that they have recovered T. C. Tips of Singareni Collieries Company Limited which were stolen from the Central Workshop Stores. The Officers after inspecting the Stores, after doing physical verification confirmed that the said T. C. tips belonged to the Central Workshop and immediately thereafter a thorough search and physical verification was made in the Stores and found there was total shortage of 13,700 pairs of T. C. tips valued roughly at Rs. 3.6 lakhs. It is not in dispute that the Divisional Engineer issued a common charge sheet to the workman Tameejuddin and V. Panduranga Rao on 27-3-1982 alleging that the posting of receipts of item in Bin cards was deliberately omitted to cover up the shortage and the balance while carrying forward from one Bin card to another Bin card as on 19-12-1981 and they were deliberately undercast to make good the shortages and they were intentionally undercast to make further good of the shortage shown therein. Of course Tameejuddin evontended that he had nothing to do with the Bin cards and the postings therein which was done by V. Panduranga Rao since a long time and that the authorities without realising that the workman had no connection whatsoever issued to the charge-sheet in a mechanical manner. He submitted his explanation on 30th March 1982, the Divisional Engineer after considering the explanation ordered for a joint enquiry on Sri K. Sivarama Krishna Rao, Assistant Engineer, Stores and Sri V. Panduranga Rao and the concerned workman.

9. The contention that the domestic enquiry was conducted in a most unfair and unreasonable manner without observing the principles of natural justice cannot be accepted as the same is conceded to be fair and proper by endorsement on the memo filed by the Management. It is evident from the records that the Management examined M. Siralu, Divisional Engineer, Central Workshop as a sole witness for the Management in the presence of Sri K. Sivaramakrishna Rao, Assistant Engineer and Khaja Tameejuddin, Clerk Grade I in this industrial dispute and V. Panduranga Rao Clerk Grade I in I.D. No. 12 of 1984 from 18-5-1982 to 8-6-1982. The first statement of M. Siralu, D. E. of the Central Workshop was recorded on 19-5-1982. He was cross examined by K. Sivaramakrishna Rao and V. Panduranga Rao as well as Khaja Tameejuddin. Then on 22-5-1982 the statement of K. Sivaramakrishna Rao was recorded. He was cross examined by M. Siralu, D.E., Management witness and K. Tameejuddin and V. Panduranga Rao. After that on 24-5-1982 the statement of Khaja Tameejuddin, Clerk Grade I (i.e. present I.D.) was recorded. He was cross examined by Sri M. Siralu for the Management, V. Panduranga Rao and K. Sivaramakrishna Rao. After cross examination of the respective statements were over, then V. Panduranga Rao on 28-5-1982 mentioned that he had nothing to add to his explanation submitted on 16-4-1982 in reply to the charge sheet dated 27-8-1982 and therefore he was not further examined. On the basis of the said statements the Management witness as well as Tameejuddin and Sivaramakrishna Rao cross examined him. Finally K. Sivaramakrishna Rao, AE produced three defence witnesses Sri S. K. Babu, General Mazdoor, Transport Department, Sri K. Rayamallu, General Mazdoor, Central Workshop, Sri Mohd Afzal, General Mazdoor, Central Workshop and Sri M. A. Gafar, Fitter, Fabrication Section, Central Workshop and they were also cross examined by others. The enquiry proceedings were closed on 8-6-1982 as per the records indicated from pages 77 to 71 (the record was indexed in a reverse order by mistake by the Management and filed. Since the purpose of page number is only to indicate the location of the material on the relevant page to avoid confusion they are not further renumbered). The statement of Siralu is thereof from pages 70 to 61. The management witness was exhaustively cross examined by all the people concerned. The statement of Tameejuddin is from pages 60 and he was cross examined from page 59 onwards to page 54. We are concerned with this material evidence found from page 70 to page 54 mostly in this case. To justify or not to justify the order passed with reference to the concerned though the defence witnesses are there, they are examined on behalf of K. Sivaramakrishna Rao D.W1 to D.W4 and their evidence would come to show that there is incriminating material against this Tameejuddin. Therefore the same is not being looked into to give all the benefits that are required to the person involved in this case. Even then from his own evidence which is from pages 60 to 54, there is material that is coming as a sort of admissions from him. According to him it is a fact that Internal Audit party came in surprise without notice for physical stock verification of the Stores on 5th December, 1980. It is his case that it is impracticable to take out and count 24,000 tungsten carbide tips (identified right and left) in four or five days. It is his case that he told Sri J. Kearle, the then Deputy Chief F & A (IA) that these tips were in sealed boxes and they were not opened and counted and asked him to keep them aside in a corner. He admitted, in the cross examine (page 58) to the question put to him, he mentioned that he was in the Stores for four years and he had taken 60 days leave and 22 days rest in his absence Sri Panduranga Rao and Sivaramakrishna Rao were looking after the Stores. According to him as there was no previous practice in vogue he went on leave as there was accuracy of stock during the last four stock verification he was confident that the stocks are intact at the time of his departure from the Stores. Therefore it is admitted by him that he did not hand over the charge of the stocks when he went on leave. Further he mentioned straightaway that he was not given charge or taken charge. He said that he and Panduranga Rao got verification allowance also. During December 1980 when the Internal Audit was conducted, it is admitted by him that consignment of 24,000 tips packed in 24 sealed boxes were not shown as received though available in Stores. To a question when

he did open and inspect the TC tips cases received on 25-11-1980 he mentioned that the same were done in March 1981 and they were counted and the inspection report and indent were given afterwards. According to him Sivaramakrishna Rao went on leave and he came from leave in the last week of January 1981. After audit it is his case that Sivaramakrishna Rao had taken leave for his marriage and in January 1981 Tameejuddin filed Earned Leave for 8 days. It is his case that Sivaramakrishna Rao came after leave in the last week of January 1981 and they started inspecting the items and could complete by the middle of March 1981. So he was specifically asked that he was on leave from 13-6-1981 to 20-6-1981, and on 17-6-1981 1878 pairs of TC tips received in a consignment were taken into stock and he was asked whether when he noticed another 4,000 pairs was received along with the consignment of 1878 pairs lying pending receipt on his return from leave on 21-6-1981. He admitted that the same was correct. Then he was questioned that when 4000 pairs of TC tips were taken into stock and if so when, the answer given by him is very clear. He mentioned at page 57 of the Enquiry Report that they were counted and a portion of it was kept in the box in which the supplies were made and put in the almirah along with the regular stock. Though he denied that he had nothing to do with the maintenance of Bin cards at page 57 when he was asked who was maintaining Bin cards from the beginning the answer given by him would show that Tameejuddin (i.e. himself) was maintaining the Bin card upto the arrival of Sri V. Panduranga Rao and thereafter Sri Ranganathan distributed the work of Stores i.e. receipts and issues to him. He was looking after issues only. So it would show that he was maintaining the Bin cards upto the arrival of Sri Panduranga Rao and thereafter he was looking after the issuing of store materials only. It is admitted by him that he was working in the Central Workshops Stores from February 1977 to August 1981. When he was asked whether he handing over the keys of the stores whenever he was proceeding on leave to Panduranga Rao, Tameejuddin answered that he was giving the keys on many occasions he gave the keys directly to Panduranga Rao and if Sivaramakrishna Rao was available he was giving the keys, to him. (page 56) According to him on 26th August 1981 when he proceeded on sick leave for two days he handed over the keys to Sivaramakrishna Rao. According to him it was not practicable to detect any discrepancy in the stock and therefore when he handed over the keys he could not find any discrepancy in the stock. When a question was put by Panduranga Rao whether Tameejuddin handled Bin cards after he arrived in the Stores and when he was present in the office, the answer given by him would show that Tameejuddin was not at all such an innocent person as put up. He mentioned that it might be, occasionally "I may have handled Bin cards on instructions from C. E. (Central Workshop) or A. E. (Stores)" (page 56). It is admitted by him that whenever he proceeded on leave he was having duplicate keys with him. He also admitted that 24 sealed boxes were kept aside in the corner at the time of Internal Audit in December 1980 there were 12010 pairs of T. C. tips and on inspection also they were tallied and thus they tallied. This counting was completed in March 1981. He was asked then the crucial question who entered the receipt of 24,000 or 12,000 pairs of T. C. tips in the Bin cards. He admitted that these entries were made on 24-4-1981 by Sivaramakrishna Rao and when he was asked whether he gave charge to Panduranga Rao on 26-8-1981 when he went on sick leave or when he took charge on 29-8-1981 he denied. (page 55). Then Panduranga Rao questioned him that all the shortages mentioned in the charge sheet had arisen during the tenure of Tameejuddin as Stores Clerk from December 1980 to 26th August 1981 when he went on leave. Tameejuddin denied the same. His case was that during his tenure four stock verification were done by the Internal Audit. There was no remark worth mentioning. According to him as he was not asked to handover the charge when he left the Stores he did not handover the charge. It is his contention that V. Panduranga Rao reposed some confidence in him and thus both worked together for two years. Finally he admitted that on 29-8-1981 he saw the original key of the stores with Panduranga Rao and at the same time he handed over the duplicate

key to Sivaramakrishna Rao as he was shift from there to Venkatesh Knani 7 Incline. Further at page 54 he mentioned that he conceded that whenever he went on leave previously he never handed over the duplicate keys to Sivaramakrishna Rao and Panduranga Rao and that they were remained with him. So it is evident that always the duplicate keys were with Tameejuddin from December 1980 to 26-8-1981 atleast out of four years when they both worked together. He conceded that the person who holds the keys and issued material is supposed to be responsible for safe custody of the materials. Finally he blurted out that he was in stores from February 1977 to August 1981 and he was holding both the original and duplicate keys. Though Sivaramakrishna was over-all charge of the Stores. He admitted that his job was only to look after the material requirements, procurement and inspection of materials and preparation of inspection report and attending to Technical problem of the Stores, and the last sentence given by him is very material to decide his faith, which is shown at page 54 he mentioned for any shortage in the Stores the man who is holding the charge of the Stores is primarily responsible. It is evident that from February 1977 to August 1981 he was holding the original and duplicate keys of the Stores and that he was maintaining the Bin cards during the absence of Panduranga Rao and that he never handed over the charge whenever he went on leave either on 26th August 1981 or took charge when he returned back on 29-8-1981 and that the 24 sealed boxes of T. C. tips which were kept aside in the corner at the time of Internal Audit in December 1980 had nothing to do with the missing of 13,700 TC tips and that it is also his case that whoever is holding the Stores is responsible primarily for the shortage of materials in the Stores and K. Sivaramakrishna Rao, Assistant Engineer who is admittedly overall incharge as being Assistant Engineer is not primarily responsible for the Issue or Receipt of Stocks and that he is only looking after requirement, procurement and inspection of the material. Therefore it is quite clear that Sri Panduranga Rao after he took charge and Sri Khaja Tameejuddin before Panduranga Rao came into picture and during the absence of Panduranga Rao also was responsible for the materials in the Stores. It is admitted that if any one was on leave the other workman was discharging the duties and if they have not taken charge was given charge over the responsibility regarding the stock position of handing over and taking over though they were having keys by verifying the stock position, it cannot be said that there is no procedure like taking charge process or handing over charge process. Sri Khaja Tameejuddin was maintaining Bin Cards and also discharging all the duties of the Clerk of the Stores prior to the appointment of Panduranga Rao. It is admitted case that he was incharge of issuing of material i.e. outgoing materials of the Stores after Panduranga Rao came into picture even then when he went on leave. It is conceded by him that he did not handover charge and Panduranga Rao also out of good faith received from him and ultimately the factum of 13,700 T. C. tips being missing is a factor to be taken into consideration during the relevant period for which nobody else was incharge. Sri K. Sivaramakrishna Rao was only concerned being overall incharge of the Stores for looking after the material requirement procurement and inspection of materials and thus it is not correct to say that the workman had nothing to do with the shortage of material worth valued at Rs. 3.6 lakhs being Senior Grade Clerk (Stores) who was incharge of both issues and receipts of materials for a long time and also for issuing of materials after Panduranga Rao came in, he cannot say that there was no written direction of taking over charge or handing over charge and on that score he should not be held responsible.

10. It is also incorrect to say that the charge was given in a mechanical way charging him along with Panduranga Rao. The Divisional Engineer is appointed as Manager of a particular establishment and he is authorised to work on behalf of the Management and he is competent person to issue the charge sheet to the workers working in the establishment. It is not correct to say that the Divisional Engineer of the Workshop is not competent to issue the charge sheet. A specific charge is given to him as per

Standing Orders of the Company Clauses 16(2) and 16(67) regarding the negligence in his work and also for the shortage of 13,700 pairs of T. C. tips valued at Rs. 3.6 lakhs when he was on duty. When the workman is given full and fair opportunity for defending his case and having fully participated in the enquiry to say when there is a clear proof and admission that the person incharge of the Stores should be primarily held for the shortage of material in the Stores and when the 13,700 pairs of T. C. tips were missing as could be seen from the records; having regard to the gravity of the offence and the nature of material that were lost and sold in the open market, it is incorrect to say that he should be given lesser punishment or should have been dealt with leniently. It is a case of gross negligence on his part which resulted in shortage of material valued at Rs. 3.6 lakhs and there are no extenuating circumstances to warrant lesser punishment. I am of clear opinion that on the basis of the record of enquiry that it is the bounden duty of the workman to Physically handover whenever he went on leave and it is the responsibility to handover the charge of the stores to his successor and also take charge whenever he returned by physical verification of the stock and failure to do so amounts to utter negligence of work and therefore the order of dismissal proved on the basis of proper enquiry is quite justified and the same is confirmed and it required no interference.

11. On a careful consideration of the case the action of the Management of Messrs Singareni Collieries Company Limited in dismissing Sri Khaja Tameejuddin, Clerk Grade I, Ventakesh Khani No. 7 Incline from service with effect from 9-12-1982 is justified and the relief sought by the workman is not entitled.

Award passed accordingly.

Dictated to the Stenographer, transcribed by him corrected by me and given under by hand and the seal of this Tribunal, this the 13th day of February, 1986.

Sd/-

Industrial Tribunal

Appendix of Evidence.

Witnesses Examined,
For the Management :

NIL

Witnesses Examined
For the Workmen :

NIL

Documents marked for the Management:

Ex. M1 By consent—Domestic enquiry file pertaining to K. Tameezuddin.

Documents marked for the Workmen:

NIL

Dt. 24-2-86.

J. VENUGOPALA RAO, Industrial Tribunal

[No. I-22012/95/83-D. III (B)]

SHASHI BHUSHAN, Under Secy.

नई दिल्ली, 21 मार्च, 1986

का. आ. 1441.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंगरेनी कोलियरिज कंपनी लिमिटेड, कोठा-गुडम, कोलियरिज, जिला रम्माभ (आन्ध्र प्रदेश) के प्रबंध संज्ञ में संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट की प्रकाशित करती है, जो केन्द्रीय सरकार को 12 मार्च, 1986 को प्राप्त हुआ था।

New Delhi, the 21st March, 1986

S.O. 1441.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Kothagudem Collieries, Distt. Khammam and their workmen, which was received by the Central Government on the 12th March, 1986.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT

Sri J. Venugopala Rao, Industrial Tribunal.

Industrial Dispute No. 12 of 1984

BETWEEN

The Workmen of Singareni Collieries Company Limited,
Kothagudem, Khammam District, A.P.

AND

The Management of Singareni Collieries Company Limited,
Kothagudem, Khammam District, A.P.

APPEARANCES :

Sri D. S. R. Varma, Counsel—for the Workman.
Sarvashri K. Srinivasa Murthy, H. K. Saigal and
Kumari G. Sudha, Counsel—for the Management.

AWARD

The Government of India, Ministry of Labour and Rehabilitation by its Order No. L-22012/101/83-D.III (B) dated 14-2-1984 referred the following dispute under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 between the employers in relation to the management of Singareni Collieries Company Limited, Kothagudem and their workmen to this Tribunal for adjudication :

"Whether the action of the Management of Messrs Singareni Collieries Company Limited, Kothagudem in dismissing from their services Sri V. P. Panduranga Rao, Clerk Grade I 5B Incline, with effect from 9th December, 1982 is justified? If not, to what relief is the workman concerned entitled and from what date?"

This reference was registered as Industrial Dispute No. 12 of 1984 and notices were issued to the parties.

2. Sri V. P. Panduranga Rao who is the claimant-Petitioner in this case mentioned in the claims statement that the dismissal awarded to him while working as Clerk Grade I in the Stores for the alleged misconduct under Standing Orders 16(2) and 16(6) on the ground that there was shortage of 13,700 tungsten carbide tips (T.C. tips) valued at Rs. 3.06 lakhs and that there was deliberate omission in the posting of receipts following consignment into the bin cards to cover up the shortage as mentioned in the claims statement are all false and incorrect. The allegation that while forwarding balance from the bin card to another on 19-12-1981 it was intentionally undercast to further make good of the shortage as detailed in the claims statement is also not tenable. It is his case that the Management did not give him full opportunity to explain by giving to show cause notice before the dismissal as per the Standing Orders and further he was not given full opportunity to deny himself as per the principles of natural justice.

(a) According to him the sole witness of the Management is one M. Seralu, Divisional Engineer, Central Workshop and he was present throughout the enquiry and the recording of witnesses was not done as per the normal method. It is his case that the Management stopped increments to Sri K. Siva Ramakrishna Rao, Asst. Engineer and finally Sri K. Siva Ramakrishna Rao, Assistant Engineer and finally Sri K. Siva Ramakrishna Rao was granted two increments after two years. According to him he was asked to work on 27-1-1981 in the place of Tameejuddin who went on leave on 27th and 28th August 1981 and he had

taken keys of the almirah on 19-12-1981. After duly counted the tips in the presence of Sri B. Nageshwar Rao and V. Vijay Bhaskara Rao and after due verification by Sri K. Siva Ramakrishna Rao, the Assistant Engineer, Stores and the balance as on that day was noted in the Bin cards as per the notings made by Sri Siva Ramakrishna Rao. According to him during the period from 27-8-1981 to 19-12-1981 Sri K. Siva Ramakrishna Rao, Assistant Engineer, Stores is only issuing the material to the workmen as per his convenience. The Management violated the principles of natural justice for not calling internal Audit for giving evidence about audit report submitted by them. When he was asked to work in place of Tameejuddin on 27th/28th August 1981 the charge of handing over and taking over was not done.

(b) V. P. Panduranga Rao is not concerned about the 4,000 pair of T.C. tips received on 1-6-1981 by Sri K. Siva Ramakrishna Rao, Asst. Engineer, Stores was not recorded in receipt day book by him. Later on inspection report was sent to the concerned clerk on 24-2-1982 when the internal audit pointed out during their verification and thus the omission in posting the Bin cards by Panduranga Rao, Clerk, did not arise. The omission pointed out with reference to 680 pairs of T.C. tips received on 7-5-1981 and also about 2,612 pairs of T.C. tips received on 22-2-1981 and 2,540 pairs of T.C. tips which was received on 30-1-1981 were all properly explained as per the claims statement and he is not responsible for any of those omissions. The Management did not prove any of the charges framed against Panduranga Rao for theft, fraud and dishonesty in connection with Company's business or property or habitual negligence or neglect of work. As it is only victimisation for the mistakes of others and V. P. Panduranga Rao is innocent and he is no where concerned with the charges framed against him. It is therefore requested that he should be reinstated with back wages with retrospective effect.

3. In the counter filed by the Management, it is mentioned that V. P. Panduranga Rao, Clerk Grade I was posted to work in the Central Workshops from 1979 and during his tenure he was entrusted with the job of posting of entries of the materials received by him in the Stores into the Bin Cards and he was incharge of proper maintenance of bin cards as per the daily statement received. The allegations that the Petitioner was not given full opportunity of the Standing Orders of the Company is fully denied. He was given full opportunity as per the rules of natural justice to defend himself against the charges levelled against him. The past record of the employee was also taken note of and there were no extenuating circumstances to warrant any punishment lesser than dismissal. There were shortage of Tungsten Carbide Tips of the Respondent-Stores Department after preliminary investigation and charge sheet was issued to the workman involving said issue and common enquiry was conducted. The Enquiry Officer has given full opportunity to all the delinquent employees as per the rules of natural justice. It is true that Divisional Engineer M. Seralu gave evidence on behalf of the Management. During the annual stock verification of the Central Workshop stores conducted by the Internal Audit Department, in the middle of February 1982 and subsequent scrutiny of issues, a shortage of 13,700 pairs of Tungsten carbide tips roughly valued at Rs. 3.06 lakhs was noticed. It is found that the posting of receipts of the some of the consignment into the Bin Cards had been deliberately omitted to cover up the charges as detailed in the charge sheet. It is the practice of the Central Workshop that whenever one Clerk is on leave the other Clerk had to discharge the duties and take over the responsibilities of the other employee. Sri Tameejuddin was also working as a Clerk in Central Workshop as and when Tameejuddin went on leave Sri V. P. Panduranga Rao used to take charge from him and discharge his duties. It is the duty of the concerned clerk to take charge of the material in the Stores. The allegation that Sri K. Siva Ramakrishna Rao was only issuing material to the workmen is totally incorrect. It is the duty of the concerned clerk to issue the material as per the daily indent received for this purpose. It is lame excuse that there is no practice of taking over charge of the Stores when the charged workmen went on leave. It is only made up to cover up

the failure on his part and also disown his responsibility. The Assistant Engineer, Stores was not the person responsible for making the bin cards. It is the duty of the concerned Clerk i.e. the petitioner to make the material bin cards about the number of materials received by him.

- (a) The enquiry was conducted properly and after going through the records, the disciplinary authority gave proper punishment on the basis of the findings of the Enquiry Officer after giving him full opportunity. The Management has gone into details of the enquiry proceedings and decided to dismiss the petitioner for heavy shortage of materials valued at Rs. 3.06 lakhs and the past record of the workman was gone into and there were no extenuating circumstances to warrant lesser punishment. The punishment awarded is just and proper and commensurate with the gravity of the offence.

4. No oral evidence have been adduced by both the parties but marked Ex. W-1 on behalf of the Workman while the Management marked Ex. M-1 to M-30 by consent. Incidentally M-1 is the photostat copy of M-1 filed in I. D. 7/84 and I referred M-1 pages in this award from M-1 (original filed in I. D. 7/84 for reference whenever it is quoted for clarity).

5. On 17-1-1985 on the Memo filed by the Management to decide the preliminary issue whether the domestic enquiry was done properly as required by law. The counsel for the workmen Sri D. S. R. Varma endorsed that he is conceding the preliminary point namely that the domestic enquiry was done properly as required by law and he is questioning the findings of the domestic enquiry as perverse and wanted the matter to be heard on merits.

6. The admitted facts of the case are that Sri V. Panduranga Rao was working as Grade I Clerk in the Singareni Collieries Company Limited and he was posted to work in the Central Workshop from 1979. During his tenure as Grade I Clerk in the Central Workshop he was entrusted with the job of posting entries and material received by him in the Stores in the Bin Cards.

7. It is admitted that the Management conducted the domestic enquiry with common Enquiry Officer namely Sri V. Gopala Sasir of the Personnel Department and that a common charge sheet dated 27-3-1982 was framed against Sri V. Panduranga Rao and Khaja Tameejuddin Grade I Clerks of the Central Workshop Stores and that Sri K. Sivaramakrishna Rao, Assistant Engineer was also charge sheeted with similar charges under the same Standing Orders on 31-3-1982 and that they were jointly enquired into these charges. The enquiry report would show that Sri K. Sivaramakrishna Rao, Assistant Engineer was in the quality control department and afterwards he was shifted to the Production and Planning Department and his duty consist of arranging material required by Production Department from Main Stores, Kothagudem and once material were brought to the Central Workshop, Receipt Day Statement was prepared and the receipts are acknowledged by the Clerk incharge of the Stores, and subsequently as the time permitted and according to the priority, the inspection of the TC tips was done by him and the Clerk and the actual quantity as found was mentioned in the Inspection Report as well as in the Receipt Day Book, and in the presence of all the three people an enquiry was conducted. Sri M. Siralu who was the Deputy Chief Engineer, Central Workshop gave evidence and all the three people were permitted to cross examine fully as they wanted and all the three persons who were charge sheeted were present throughout the enquiry and thereafter while Tameejuddin and Panduranga Rao, Grade I Clerks states that they have no witness for defence. Sri K. Sivaramakrishna Rao, Asst. Engineer produced four witnesses namely Sri Sk. Babu Miya, General Mazdoor, Transport Department, Sri K. Rayamallu, General Mazdoor, Central Workshop, Sri Mohd. Afzal, General Mazdoor, Central Workshop and Sri M. A. Gafar, Fitter, Fabrication Section, Central Workshop. According to Siralu in the month of December 1980 the Internal Audit conducted the physical verification of the Central Workshop and no shortage were noticed and in the month of February, 1982 the Internal Audit again checked the Stores and found shortage of about 13,700 pairs of TC

tips roughly valued at Rs. 3.6 lakhs at the Central Workshop Stores. According Sri Siralu the posting of receipts of some consignment in Bin Cards had been deliberately omitted to cover up shortages though the said consignment were received as per the Receipt Day Book. Sri Tameejuddin was Stores Clerk from 1977 till 27-8-1981. Sri Tameejuddin went on two days sick leave on 27th and 28th August 1981, Sri V. Panduranga Rao, Grade I Clerk involved in this Industrial Dispute was asked to look after the Stores. Sri Panduranga Rao was admittedly by working in the Central Workshop from May 1979 and his duty was to collect material from the Main Stores on the basis of indents and was making entries in the Bin Card on the basis of Receipt Day Book and Stores Receipt Book.

8. According to the Management whenever Tameejuddin was on leave Panduranga Rao was looking after the Stores besides his work and for two days i.e. on 27th and 28th August 1981 Panduranga Rao was asked to look after the Stores and Panduranga Rao insisted that unless he was allowed to work on Stores on regular basis he would not work and thus he was allowed to work in the Stores. Finally on 8-12-1981 they came to know from Police that TC tips were seized which were similar to TC tips that were maintained in the Stores. Then the Chief Engineer directed for physical verification of stocks of TC tips to find out the shortage if any. It is admitted that Sri K. Sivaramakrishna Rao verified the stock position with the Assistance of Stores Clerk Panduranga Rao and informed that the tips were in excess. Then again Sri K. Sivaramakrishna Rao along with B. Nageshwar Rao, A.E. went to the Police Station and found that the TC tips which were found in the Police Station were similar to the tips in usage at the Central Workshop. Thereafter the stock position in the Stores was directed to be verified thoroughly to find out whether there was any omission or commission.

9. Ultimately Sri K. Sivaramakrishna Rao along with Sri B. Nageshwar Rao and N. Vijaya Bhaskar and Stores Clerk V. Panduranga Rao verified the stock position of TC tips with records and reported after three or four days that there was a shortage of 7,585 numbers of TC tips and the matter was reported to Sri Siralu, Additional C.E.

10. Thus the internal audit was carried for physical verification of stores in February 1982 in view of these discrepancies and found that the total shortage of TC tips was about 13,700 pairs valued at Rs. 3.6 lakhs. The same culminated into the charge sheet as issued against both Tameejuddin and Panduranga Rao which is part of the record.

11. The enquiry officer held that there is pilferage of TC tips from the Central Workshop stores and this kind of pilferage cannot happen without the knowledge of connivance of persons who are in physical custody of Stores and this came to the notice of the Management in November/December 1981 and the TC tips would have disappeared from the Central Workshop somewhere around this period or some time earlier and thus Panduranga Rao who was in physical custody of Stores cannot plead ignorance and that as a person who was maintaining Bin cards continuously he would have known the correct position after he himself started issuing TC tips. He also opined that it has been established beyond doubt that there was heavy shortage and the Panduranga Rao who was holding charge of the physical stock stores had neither asked for handing over charge nor any such arrangement was made when he put incharge of the Stores from 29-8-1981 that both Panduranga Rao and Tameejuddin who had confidence in each other about the stock position while handing over and taking over charge cannot be absolved of the responsibility. He also found that Tameejuddin should have handed over charge when he was shifted from Stores towards and of August 1981 of the material in his charge to Panduranga Rao and that Tameejuddin cannot be absolved of his responsibility for the shortages completely. Thus he held that Panduranga Rao is guilty of misconduct under Standing Orders 16(2) and 16(6) while he held that Tameejuddin is guilty of misconduct under Standing Order 16(6). Incidentally he mentioned that Sri K. Sivaramakrishna Rao, Assistant Engineer it is a case of dereliction of duties in so far as not acted with a sense of propriety and held him guilty under Rule 3 of the Conduct of the Disciplinary Rules of the Company. It is ultimately accepted by the Management that Sri

K. Sivaramakrishna Rao, A.E. on the ground that he is not person concerned of making entries and maintenance of Bin cards of stocks and it is not his major duty and that he being overall incharge amongst many other duties. Supervision is one of the duties. A lenient view is taken and stoppage of increment was awarded to him and latter on it is conceded that he was granted two increments after two years.

12. Though it is a common enquiry against V. Panduranga Rao and Khaja Tameejuddin. There was some difficulty in dealing with these matters separately. This matter with reference to Panduranga Rao is dealt with I. D. No. 12 of 1984 while the matter with reference to Khaja Tameejuddin is dealt I. D. No. 7 of 1984. Had they been dealt with together since the witnesses for the Management were cross examined by all affected persons and similarly the Management also cross examined the statements given by Tameejuddin as well as Panduranga Rao and Sivaramakrishna Rao as well as defence witnesses examined on behalf of Sivaramakrishna Rao in their respective stands, the same could have been considered with totality of facts. Now as the evidence is separately dealt with in these two industrial disputes i.e. I. D. No. 7 of 1984 and I. D. No. 12 of 1984. Great caution was exercised by me in not taking that part of the evidence that was incriminating against Tameejuddin from his co-delinquent while deciding I. D. No. 7 of 1984 and similarly by excluding that part of the evidence incriminating against V. Panduranga Rao while deciding I. D. No. 12 of 1984. At the same time whatever benefit is derived or can be given from the contradictions found in the entire enquiry from all the witnesses beneficial to the worker concerned are taken into consideration while adverse comments made by the other charged delinquents against the person involved in this enquiry were not taken into consideration for evaluating the real truth. In a way this is only done to see that no damage is done to the case of the individuals concerned in the dispute so that it might be said that the other delinquents comments or versions were taken prejudicial to the interest of the worker involved in the case, though the Management is justified in insisting that the entire evidence should be taken as a whole as such, against each of them in view of common enquiry report to which is one and the same and incriminating circumstances given by others against the concerned delinquents should also be taken into consideration.

13. To appreciate the charge against V. Panduranga Rao. The evidence of Siralu and the cross examination made pursuant to V. Panduranga Rao has to be considered in the first instance. Siralu was examined on 19-5-1982 in the enquiry. He mentioned that V. Panduranga Rao had been working in the Central Workshops Stores from May 1979 and Panduranga Rao was to collect materials from the Main Stores on the basis of indents and he was making entries in the Bin cards on the basis of the entries in the Receipt Day Book and Stores issue slips. It is also mentioned by M. Siralu that when Tameejuddin was on leave Panduranga Rao was looking after the Stores besides his own work and that Tameejuddin was on sick leave from 27th to 28th August 1981 and Panduranga Rao mentioned that unless he was allowed to continue on Stores in regular basis he would not work in the Stores and that they also promised him to continue to that effect. Finally on 8-12-1981 they came to know that the Police seized some TC tips from one Sri Raju and TC tips that were recovered from him and when compared to TC tips of the Central Workshop they found it to be one and the same and after the material was brought up to the Chief Engineer level they directed him to arrange for verification of stocks of TC tips of shortage if any. So in the beginning Sri K. Sivaramakrishna Rao, A.E. Stores verified the stocks position with the assistance of Stores Clerk Panduranga Rao and informed that the TC tips were in excess and again the Additional C.E. K. Sivaramakrishna Rao, A. V. Subba Rao, A.E. to verify the stock position thoroughly to find out whether there was any omission or commission. Then Sri K. Sivaramakrishna Rao along with B. Nageshwar Rao, A.E. and N. Vijaya Bhaskar and Panduranga Rao, Stores Clerk verified the stock position with records and reported after three or four days that there was shortage of 7,585 numbers of TC tips and the same was informed to him as well as to the Chief Engineer. Later on Internal Audit carried the physical verification of stocks in February 1982 and found the total shortage of 13,702 pairs valued at Rs. 3.06 lakhs. He deposed as per the entry in the Bin Cards page 26 the closing stock TC tips on 18-12-1981 was 52,633

whereas the brought forward balance shown in another Bin card (page 27) was 47,602 numbers. Thus there is discrepancy of 4,431 numbers TC tips (right) the Bin card No. 26 and 27 are marked as Ex. ME-1 and ME-2 which are now marked in this Tribunal Ex. M-27 and Ex. M-28. There is no doubt that these entries are made Bin Card. Panduranga Rao admitted them to have been made by him. Similarly the closing stock of TC tips (left) as on 18-12-1981 were 38,077 as per the entries made in the Bin card at page 24 which is marked as Ex. M-25 and the stock balance brought forward in another Bin card at page 25 which is marked as Ex. M-26 as on 21-12-1981 were 44,923. There is a discrepancy of 3,154 nos. TC tips (left). The relevant entries of the Bin cards are marked as Exs. M-25 and M-26. It will be seen from the Bin card that there is enough space left to make further entries of issues and balances whereas the entries were only made half way to strike closing balance. Now the evidence of Siralu would show that there were receipts of consignment of 2612 and 1648 TC tips shown against S. No. 900 in the Receipt Day Book against Stores Challan No. 10163 dated 20-2-1981 which is marked as Ex. M-19 in the Receipt Day Book at page 89 (Receipt Book is marked as Ex. M-7) against the Stores Challan No. 10163 dated 20-2-1981 but infact only one consignment of 1648 pairs of TC tips were entered in the Bin card dated 18-3-1981 and no entry has been made with regard to receipt of 2612 pairs of TC tips as could be seen under Exs. M-19 and M-20, and Ex. M-21.

14. Similarly on 30-1-1981 this case consisting 2649 of TC tips were shown to have been received as per the entry in Receipt Day Book, the same has been received through challan No. 10162 dated 30-1-1981, the same is marked as Ex. M-22 (i.e. Ex. ME-7) at S. No. 854, the same have been received through Challan No. 10162 dated 30-1-1981 from Stores but as per the inspection report dated 5-3-1981 2605 and 2648 Nos. of TC tips were actually received and the same was entered into the Receipt Day Book under Ex. M-22. Surprisingly the same was not entered in the Bin Card. The concerned, Inspection Report dated 5-3-1981 is filed also. But it is however observed that the above said stock was not entered in the Bin Cards. It can be verified from Ex. M-22 which contained at S. No. 854 in Ex. M-7 Receipt Day Book. But the Bin cards Exs. M-23 and M-24 did not show that the above stock was entered with reference to the Challan No. 10162 dated 30-1-1981 shown in Ex. M-6 from the Stores. The challan Book Ex. M-6 at challan receipt No. 10163 dated 20-2-1981 of the Stores would show though TC tips 2612 and 1648 were received as per Exs. M-20 and M-21 Bin cards only 1648 TC tips were entered and there were no entry made with regard to the receipt of 2612 pairs. Similarly he also deposed that on 17-6-1981 four cases of TC tips were drawn from against stores indent cum voucher by Sivaramakrishna Rao, A.E. under Ex. M-13. These were received during the absence of Tameejuddin and received by V. Panduranga Rao. In Ex. M-13 KC order 427 dated 23-5-1980 for 4000 pairs the delivery note No. 28989 and for KC No. 430 dated 23-5-1980 the delivery note is 28987 the same could be found in Ex. M-10 receipt book at relevant page marked as Ex. M-11 at S. No. 254. The delivery slip is marked as Ex. M-15. Ex. M-15 is in the handwriting of V. Panduranga Rao dt. 1-3-1982. The Inspection was conducted as per Ex. M-14 on 24-2-1982 for those 4000 pairs while first one inspection was done on 17-6-1981. On 17-6-1981 V. Panduranga Rao received them and he was incharge of the Stores and it is his case that he counted only 1878 tips and posted in the Bin cards also and next consignment of 4000 tips though acknowledged by V. Panduranga Rao, under Ex. M-15 were never entered. Even on the date of inspection these 4000 pairs posted in the Receipt Day Book and entered in the Bin cards. But actually on verification as per inspection report M-14 and M-15 the stock of 4000 pairs is not available. V. Panduranga Rao as per the enquiry report at page 51 admits that he received four cases as the Receipt Day Book as per dated 17-6-1981 and he signed them and kept in the Stores. So it is clearly admitted that he was present and received them. So in other words he received 4000 tips under Ex. M-13 and also 1878 pairs of TC tips as per Ex. M-12 and they were also in Ex. M-11. When the second verification was done V. Panduranga Rao says that he did not know about 4000 pairs. When V. Panduranga Rao was asked that he stated after the verification stock of TC tips existed on 19-12-1981/21-12-1981 were entered into new Bin cards and the same should have been deemed to have been

dated 6-1-1982 he mentioned that the stocks were not handed over to him and whether these were not contradictory (page 51). The answer given by him at page 50 of the enquiry report would show that he requested for handing over of stores on 6-1-1982 relating to all other material other than TC tips available in Stores and not handed over the charge. He agreed that with regard to the opening of new Bin cards with physical stock of TC tips as existed on 19-2-1981/21-12-1981.

15. Similarly with regard to 680 pairs of TC tips that were shown to have been received against S. No. 142 in Receipt Day Book on 7-5-1981 with indent-cum-voucher No. 32822 marked as Ex. M-16 at S. No. 142 was not entered in the Bin card. The corresponding Bin cards are marked as Ex. M-17 and M-18 for 7-5-1981. It is clear that from Ex. M-16 stock 680 pairs TC tips were received but the relevant bin cards Exs. M-17 and M-18 for 17-5-1981 did not show that they were entered in the stock.

16. On 18-12-1981 the closing stock of TC tips left were 48077 (see Ex. M-25) as per the entries made therein. The stock balance brought forward in another Bin card on 21-12-1981 were only 44923 as per Ex. M-26. Thus there is a shortage of 3154 TC tips. The same is indicated by marking the Bin cards Exs. M-25 and M-26. So when the opening balance is 44923 on 21-12-1981 as per Ex. M-26 while closing on 18-12-1981 as per Ex. M-25 48077 there must be corresponding issue of stock to somebody it is not there. So 3154 pairs of TC tips were missing. Similarly on 18-12-1981 as per the closing balance of the Bin card (right) the TC tips were shown as 52033 as per Ex. M-27. On 19-12-1981 the opening balance of the Bin card (right) Ex. M-28 is shown 47602. So when there is issuance of stock outside it must be admitted that 4431 TC tips were missing. All these bin cards which are how discussed are maintained by V. Panduranga Rao. According to Panduranga Rao after physical verification as per the instructions of the Assistant Engineer quantity TC tips available is undercast. But surprisingly no remark is made on Bin card to reflect the actual stock after physical verification that it was undercast as per the instructions of Assistant Engineer. It is the duty of V. Panduranga Rao to maintain the bin cards and it is his duty to make entries as per the stock available in the Stores. It is admitted that Bin cards reflect correct picture only from 18-12-1981. In other words the Bin cards were not reflecting correct stock of TC tips available earlier to that. In other words the purpose of maintaining Bin card failed. But till December 1980 there was no problem as per the circumstances existing. After December 1980 there was Audit and audit report and it was submitted on 9-1-1981. So these discrepancies or problems which were detected and found to be there must have been done between 9-1-1981 and 18/19-12-1981.

17. As per the first charge 4000 pairs of TC tips were missing. Sivaramakrishna Rao stated at page 38 of the enquiry report that during January 1982 V. Panduranga Rao had given a letter stating that the concerned officer be instructed to keep the material read for helping him in verification but the avowment of Panduranga Rao being incharge of the Stores since August 1981 to say that he was not aware of the Store materials till January 1982 was false. Sivaramakrishna Rao asserted that the Central Workshop was completely maintained by the said Clerks Tameejuddin and V. Panduranga Rao though he was supervising the inspection and helping the production not stopped due to lack of any material. According to the audit report dated 9-1-1981 given by the Deputy Chief F.A. (IA) Kothagudem is also shown by him in the enquiry. After the stock verification by the Internal audit in December 1980 T.C. tips numbering 24,000 were received on 25-11-1980 lying uninspected and the same were furnished at page 37 of his evidence. It is admitted that the inspection of these consignments were completed during March/April 1981. The report was actually sent on 26/27th April 1981 i.e. D.E. 3. Sivaramakrishna Rao went on leave for Marriage and returned to duty during the third week of January 1981 and at that time V. Panduranga was handling the stores as Khaja Tameejuddin went on leave (L.T.C.) on 9-1-1981. So when they returned to duty some other consignment were also lying to be inspected by the main stores they were brought to the Central Workshop the particulars as already marked as Ex. M-22, M-29 and M-19 etc. would show that they were received from the

Receipt Day Book against the orders made by the Department. Sivaramakrishna Rao mentioned for about four years as per experience in the Department that Tameejuddin was attending to issue by handling the stores till 27th August, 1981 and later by V. Panduranga Rao. The Bin cards entries are however attended by V. Panduranga Rao. Infact as per Receipt Day Book Ex. M-7 at S. No. 874 received on 11-2-1981 for 600 pairs of TC tips Sivaramakrishna Rao inspected Items 1 to 5 mentioned at page 36 of the enquiry report by 11-2-1981 as they were available. So if they are really available in the Stores after having received by them as shown in the Receipt Day Book they should be found in the Bin Card. But Item 3 i.e. about S. No. 854 with reference to 2649 pairs and TC tips were not entered in the Bin cards. If it is available for inspection on 11-2-1981 how can it be that the same were not available for verification by 18/19-12-1981 unless they are issued to the Departmental people by any tangible evidence? Thus it is a clear instance showing illegal removing of TC tips from time to time as the stocks are being received and issued.

18. The consignment of 24000 TC tips to be received on 25-11-1980 was physically inspected during January to February 1981 and the report was done by 26/27-4-1981 therefore the said consignment of 24000 TC tips dated 25-11-1980 were reflected in December 1980 audit. After December 1980 audit report only the Assistant Engineer went on leave for marriage and returned to duty during third January 1981. Hence the inspection took place from the end of January 1981 admittedly Tameejuddin went on leave for one week from 9-1-1981 and thus during this period V. Panduranga Rao alone was incharge and all these items including 24,000 TC tips were not physically verified were inspected along with the other items in January to February 1981 and the inspection report was made ready on 26/27-4-1981. Even Tameejuddin at page 57 of the enquiry report answered that they were counted and a portion of it was kept in boxes in which supplies were made and put in the almirah and that he was maintaining Bin cards upto the arrival of Panduranga Rao. Tameejuddin was on leave from 13-6-1981 to 20-6-1981. In cross examination of V. Panduranga Rao by Tameejuddin would show that pages 55 and 56 that he was handing over the keys to V. Panduranga Rao directly on many occasions and that he also handled bin cards on instructions when the other person among them went on leave keeping the duplicate keys with him. He admitted that he did not hand over the charge on 26-8-1981 and also take charge after he returned from leave on 29-8-1981 at page 55 of the enquiry report. The evidence of Panduranga Rao and Tameejuddin against each other in cross examination would show that they were reposing confidence in each other while handing over and taking over as they were incharge of one and other when they went on leave. Of course Tameejuddin was charge sheeted and the enquiry against him lead to I. D. No. 7 of 1984 and the same is being disposed of along with this dispute today. Finally Tameejuddin admitted that so long he was incharge of the Stores from February 1977 and August 1978 he was holding the original keys at page 54 and also admitted that whenever he went on leave that he did not handover the keys to V. Panduranga Rao or to Sivaramakrishna Rao. Even according to Tameejuddin, Sivaramakrishna Rao was overall charge of the Stores and his job was only to look after the material required, procurement and inspection of materials, preparation of inspection report and attending to technical problem of the Stores. Finally Tameejuddin blurted out that the man whoever is holding the Stores is primarily responsible (this is at page 54). Infact Sivaramakrishna Rao as could be seen from his evidence at page 36 denied having given any advice to bring the shortage under cast as shown on 19-12-1981 Exs. M-8 and M-27, and he also denied that they were done at his instance or on his advice it was done by the concerned Clerk Panduranga Rao. He clearly asserted at page 36 that the entries omitted in the Bin card Exs. M-27 and M-28 were done at the risk of V. Panduranga Rao. Further when they were corresponding receipts of TC tips as shown in the Receipt Day Book how can Sivaramakrishna Rao who is only supervisory authority ask Panduranga Rao who is solely responsible for the bin card entries to have them undercasted to avoid discrepancy? At page 24 of the enquiry report Sivaramakrishna Rao clearly stated that TC tips were counted in the presence of himself, B. Nageshwar Rao and Vijaya Bhasker Rao by V. Panduranga Rao. He also denied that he handed over the physical stock of TC tips as they were already in the custody of Panduranga Rao.

He also denied that he did not advise Panduranga Rao to open new Bin cards as there were no necessity to write shortages as the matter was reported to Additional C.E. and D.E. In fact the evidence at page 23 of the Sivaramakrishna Rao would show that he was very clear on this aspect and that he deposed of opening new bin cards gives a wrong impression and he was not knowing the opening of new bin cards and further when the Internal audit party gave that Panduranga Rao gave an impression that the stock was as per the bin cards and he did not reveal the shortage. In fact Ex. M-6 challan book for challan Receipt No. 10157 marked Ex. M-30 which is dated 25-11-1980 shows that the materials were received and entered in the handwriting of Panduranga Rao which were received on 25-11-1980 in the handwriting of Panduranga Rao were entered in April 1981 in Bin cards along with other consignments. So it is part of Audit of 1980. This is counted physically from 30-1-1981 to 11-2-1981 as indicated at page 36 of enquiry report of Sivaramakrishna Rao and the inspection report was made ready by 26/27-4-1981 as on 25-4-1981 all unaccounted stocks also physically verified in the presence of Tameejuddin and also by the Assistant Engineer Sivaramakrishna Rao. So they have no right to undercast these 24,000 TC tips as if he instructed V. Panduranga Rao to do so. Ex. M-18 would show that Assistant Engineer entered all the items in Bin cards as seen at page 55 and everybody accepted as on 25-4-1981 that 13530 (right) tips and 10470 (left) tips were entered in the Bin cards by Sivaramakrishna Rao after physical verification.

19. The argument of Sri D. S. R. Varma that 12,000 pairs of TC tips which were counted on 25-4-1981 were shown in the audit report counted and recounted as deficit is not correct. The evidence of Tameejuddin as well as Sivaramakrishna Rao corroborates that Ex. M-18 to show that 24000 (12,000 pairs) were not already entered in the bin cards. The employees who are custodian of the materials are responsible for them both Tameejuddin and Panduranga Rao were fully incharge of the records of materials of receipt and issue and their corresponding records and therefore they are responsible. If there are any omission and commission these people who are responsible as Senior Grade I Clerks should pointed out the defects to the Audit party. Even according to them the value of the Stores between 20 to 30 lakhs of rupees and the shortage of TC tips could not be located by the Management as the concerned Senior Grade I Clerks failed to discharge their duties properly. So the argument of Sri D. S. R. Varma that Panduranga Rao showed that 12,000 pairs of TC tips shown to audit party is not correct. If the Police investigated about the missing TC tips on which the physical verification was ultimately done and disclosed, the loss of Rs. 3.06 lakhs of TC tips, it cannot be said that the criminal case should have been filed and the result should have been awaited. The loss of TC tips valued at Rs. 3.06 lakhs as per the charge sheet is factual and not notional and it is based upon the Receipt Day Books as well as the entries in Bin cards.

20. Thus on a careful consideration of the entire materials placed before me, I hold that the Management of Messrs Singareni Collieries Company Limited, Kothagudem is justified in dismissing from their service Sri V. P. Panduranga Rao, Clerk Grade I, 5B Incline, with effect from 9th December, 1982 and the same is proper and no lesser punishment would serve the interest of a public utility service and no relief can be awarded to him.

Award passed accordingly.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 13th day of February, 1986.

Appendices of Evidence

Witnesses Examined

for the Management

NIL

Witnesses Examined

for the Workmen :

NIL

Documents marked for the Management :

- Ex. M-1-By consent—Domestic Enquiry file pertaining to V. Panduranga Rao.
- Ex. M-2-By consent—Photostat copy of the Stores ledger Folio No. 16001 (R)-SFS-41572 pertaining to T.C. Tips for coal drill bits.
- Ex. M-3-By consent—Photostat copy of the Stores ledger Folio No. 16001 (L)-SFS-41571 pertaining to T.C. Tips for coal drill bits.
- Ex. M-4-By consent—Photostat copy of the Stock verification of Central Workshop Stores 1982.
- Ex. M-5-By consent—Photostat copy of the verification of Stores at Foundry and Central Workshop—Stock Sheets—Regarding.
- Ex. M-6-By consent—Challan book from SI. No. 10102 to 10200.
- Ex. M-7-By consent—Receipt day book from 1-4-1980 to 31-3-1981.
- Ex. M-8-By consent—Letter No. 1A/E.69/224, dated 19-6-85 of Joint Chief F&A(IA).
- Ex. M-9-By consent—Photostat copy of the letter dated 2-5-85 addressed by Jt. Chief F&A(IA) to the Dy. C.P.M. Kgm. with regard to dismissal of V. Panduranga Rao. Ex-clerk.
- Ex. M-10-By consent—Receipt day book from 1-4-81 to 30-9-81.
- Ex. M-11-By consent—Entry No. 254 dated 17-6-81 in Ex. M-10.
- Ex. M-12-By consent—Delivery Note No. 28987 dated 25-4-81 of Widia (India) Ltd. with regard to item 1878 pairs of T.C. Tips.
- Ex. M-13-By consent—Delivery Note No. 28989 dated 25-4-81 of Widia (India) Limited with regard to 4000 pairs of tips.
- Ex. M-14-By consent—Inspection Report dated 24-2-82.
- Ex. M-15-By consent—Receipt No. 28989 dated 1-3-82.
- Ex. M-16-By consent—Entry No. 142 dated 7-5-81 in Ex. M-10.
- Ex. M-17-By consent—Stores ledger Folio No. 16001 (I) from 18-4-81 to 7-5-81.
- Ex. M-18-By consent—Stores ledger Folio No. 16001 (R) from 18-4-1981 to 7-5-1901.
- Ex. M-19-By consent—Entry No. 900 dated 20-2-81 in Ex. M-7.
- Ex. M-20-By consent—Stores ledger Folio No. 16001 (R) from 3-2-81 to 12-3-81 and showing the entry of 20-2-81.
- Ex. M-21-By consent—Stores ledger Folio No. 16001 (L) from 3-2-81 to 12-3-81 and showing the entry of 20-2-81.
- Ex. M-22-By consent—Entry No. 855 dated 31-1-81 in Ex. M-7.
- Ex. M-23-By consent—Stores ledger Folio No. 16001 (L) from 5-1-81 to 31-1-81.
- Ex. M-24-By consent—Stores ledger Folio No. 16001 (R) from 51-81 to 31-1-81.
- Ex. M-25-By consent—Stores ledger Folio No. 16001 (L) from 8-12-81 to 18-12-81 showing the closing balance of tips as 48077.
- Ex. M-26-By consent—Stores ledger Folio No. 16001 (L) from 21-12-81 to 6-2-82 showing the opening balance to tips as 44923.
- Ex. M-27-By consent—Stores ledger Folio No. 16061 (R) from 8-12-81 to 18-12-81 showing the closing balance of tips as 52033.

Ex. M-28-By consent—Stores ledger Folio No. 16001 (R) from 19-12-81 showing the opening balance of Tips as 47602.

Ex. M-29-By consent—Entry No. 874 dated 11-2-81 in Ex. M-7.

Ex. M-30-By consent—Challan No. 10157 dated 25-11-80 in Ex. M-6.

Documents marked for the Workmen :

Ex. W-1-By consent—Letter No. IA/E.69/1399 dated 8-12-80 addressed by Dy. C.F.&A. (IA) to D.E. Central Workshop with regard to stock verification.

Dated : 27-2-1986.

J. VENUGOPALA RAO, Industrial Tribunal

[No. I-22012/101/83-D.III (B)]

SHASHI BHUSHAN, Under Secy.

नई दिल्ली, 21 मार्च, 1986

का.आ. 1442:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व हिन्दगिरि कोलियरी मैसर्स सी.सी.लि. के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट का प्रकाशित करती है, जो केन्द्रीय सरकार को 17-3-86 का प्राप्त हुआ था।

New Delhi, the 21st March, 1986

S.O. 1442.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Hindgiri Colliery of M/s. Central Coalfields Ltd. and their workmen, which was received by the Central Government on the 17th March, 1986.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 5 of 1985

In the matter of Industrial Disputes under Section 10(1)(d), of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Hindgiri Colliery of Central Coalfields Ltd. and their workmen.

APPEARANCES :

On behalf of the employers—Shri R. S. Murthy, Advocate.

On behalf of the workmen—Shri J. D. Lall, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 10th March, 1986

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. I-24012(23)/84-D.IV (B) dated the 17th January, 1985.

SCHEDULE

"Whether the action of the management of Hindgiri Colliery of Central Coalfields Ltd. in denying post of two drillman in each drilling crew and thereby refusing promotion to Misc. Mazdoor as Drillman in Cat. IV is justified? If not, to what relief are the workmen concerned entitled?"

The case of the workmen is that the management has not implemented circular dated 3/7-6-1983 issued by the Chief Personnel Manager, Darbhanga House, Ranchi. The management has thus denied posting of two drillmen in Cat. IV in each drilling crew. The said circular clearly specified that the strength of a crew varied from 2 to 3 depending on the location/condition of working place, the weight of drill etc. and that not more than two persons would be driller in each drilling crew. The case of the workmen further is that S/Shri Ramlal Manjhi, Chammu Lohar, Chhunulal Manjhi, Baloo Oraon, Chamak Lal Manjhi Sukhari Manjhi who are working as drillers are not being paid the wages of Driller Cat. IV and that they are entitled to the difference of wages since they are working as Drillman.

The case of the management is that the union which has sponsored the industrial dispute is a craft union and has no existence whatsoever in Hindgir Colliery and as such it is not competent to raise the present industrial dispute. The sponsoring union has picked up and chosen his own men for promotion as drillers in Cat. IV regardless of any principle in order to secure special benefit for their members.

The management employed drillers in the collieries for drilling holes in the coal faces so that explosive and stamming materials could be inserted in the holes for the purpose of blasting. The holes in the coal faces are made by small drilling machine which operates the drilling rods and the drilling machines is electrically operated. There is no need for drilling holes or blasting in the mines where there is pick mining. In the initial years there was only pick mining in the Hindgir Colliery. Hindgir Colliery was nationalised in 1973 and subsequently it became a part of CCL. After nationalisation one drill was introduced and subsequently the strength of the drills were increased gradually to four by 1978. According to Majumdar Award and the award of the LAT each drill was to be operated by a driller and a helper. Subsequently the Central Wage Board for the coal industry in 1967 recommended that the post of drill helper should be abolished and those drill helpers who were not suitable to work as driller should be employed as General Mazdoor in Cat. I. Thereafter the drills in the collieries were operated by one driller and one general mazdoor after 1967. In some of the collieries the management agreed to provide one driller of Cat. IV and one helper/Drill mazdoor of Cat. II. Since 1978 Hindgir Colliery had 15 drillers in Cat. IV. Out of them recently one driller expired, and the present strength of the drillers is 14 only. The said strength of 14 drillers is quite adequate for operating four drills in the three shifts of Hindgir Colliery. The management has provided Drill mazdoor to work with driller. In some cases the drilling crew consist of one driller and one mazdoor and in other cases one driller and two mazdoors. Presently there are 20 drill mazdoors. The number of persons who work in a drilling gang had been a matter of controversy. In a meeting held in 1983 with the R.C.M.S. Union at the level of the Head Office of the Company it was decided that if in a drilling crew two workers actually operate the drill by themselves and also perform all the connected jobs the drilling crew will consist of two drillers in Cat. IV and the matter was to be decided by general manager of the Area. The above decision which was taken at the level of the RCMS and the management was communicated through circular dated 2-4-1985 issued by the Chief Personnel Manager of CCL Ranchi. The management issued letters to all persons forming part of drilling crew to give their consent or option whether the workmen wanted the drilling crew of two drillers in Cat. IV or whether they would like to have one driller in Cat. IV and two Mazdoor of Cat. II in one drilling crew. The necessary letter was issued on 21/23-4-84 but none of the workers sent replies giving their consent or option. Some of the workmen of the drilling crew orally expressed their view that the existing system should continue which consists of one driller and two mazdoors in a drilling crew and accordingly the management is maintaining the said status quo. It is not open to the sponsoring union to undo the decision taken by the management during the course of bargaining process with RCMS which is the recognised union and is the most representative union. The sponsoring union had just picked up some individual workers for placing as Drillers in Cat. IV without any principles or rule and it was not possible for the management to accept the said demand when it was raised before the conciliation officer. The conditions of working of mining in Hindgiri Colliery are extremely good

and as such there is no need of engagement of more than two persons in a drilling crew. The management had indicated during the course of conciliation proceeding that they were prepared to post two drillers of Cat. IV in each drilling crew but they were not prepared to provide three workers in each drilling crew. The management is even now prepared to constitute a drilling crew consisting of two drillers in Cat. IV from now onwards or continue the existing system of one driller and two mazdoors constituting a drilling crew. The management cannot agree to the promotion of individual workers as demanded by the union. When the basis is decided and the union agrees to the arrangement of having drilling crews consisting of only two drillers of Cat. IV, the management will be prepared to make the selection from amongst the existing drilling mazdoors and permit those who are found suitable for Cat. IV and those drill mazdoors who are not found suitable for the post of drillers will be diverted to other jobs. The prayer of the union for the placement of 6 workmen in Cat. IV is totally baseless and beyond the scope of the reference.

The point to be considered in this case is whether there should be two drillers in each drilling crew and whether the misc. mazdoors be promoted as Drillman in Cat. IV.

The management have examined two witnesses and the union has also examined two witnesses in support of their respective cases. The management has further produced documents which have been marked Ext. M-1 to M-4. Ext. W-1 to W-8 are marked on behalf of the union.

It will appear from the W.S. of the union that the workmen have based their case on the circular dated 3/7-6-83. Let us therefore look to the said circular which has been marked Ext. W-8 in this case. This Ext. W-8 just reproduces the contents of Ext. M-4 dated 2-4-1984. It will appear from the said document that the matter was under consideration and examine whether all the members of the drilling crew should be placed in Cat. IV since the Wage Board had categorised drillers in Cat. IV. The said matter was examined by the management in December, 1977 and it was decided that Cat. IV would be extended to such of those drilling mazdoor who themselves conduct drilling operation without any helper and have necessary training experience and other qualities to lead their men in a team and those who do not qualify will be placed in Cat. II as Misc. mazdoors. It was further decided that in the assessment of the strength of drilling crew which varies from two to three depending on the location/condition of the working places, weight of the drill etc., not more than two persons would be in the gang of drillers in higher category i.e. Cat. IV. In view of the above and as per job description given in the Wage Board it was agreed that the drilling crew will consist of two drillers who will be operating drills by themselves and doing identical jobs simultaneously and they would be placed in Cat. IV. They were to be responsible for the entire operation of drilling including putting of bits, carrying of drills cable and allied jobs in connection with the drilling operation and such stipulations should be made in writing while placing such suitable hand in Cat. IV by Area G.M.s to avoid any doubt in their mind in future. Thus it will appear that the said circular which is the basis of the case of the workmen in general agreed with the case of the management that a drilling crew will consist of two drillers in Cat. IV, but they were to perform all the connected jobs and that there will be no misc. mazdoors or drillers man in the said crew.

WW-1 Shri Raghunandan Pd. is the President of Coal Mines Engineering Workers Association of CCL Zone who had raised the present industrial dispute on behalf of the union. He has stated that the management had issued a circular dated 3/7-6-1983 and on 2-4-83 (Ext. W-8 and Ext. M-4 respectively). He has further stated that the circular dated 3/7-6-83 provided that there will be a gang of three workers out of which two will be driller of Cat. IV and other one will be the helper in Cat. II. The said statement of WW-1 does not find support from Ext. W-8 or Ext. M-4. Those documents have provided that drilling crew to will consist of two driller in Cat. IV and that there was no provision of any mazdoor or helper. The evidence of MW-2 will show that a letter Ext. M-3 dated 21/23-4-83 was issued under the signature of the colliery Manager of Hindgir Colliery to all the drillers and drill mazdoors but they did not submit any reply to the said letter.

Ext. M-3 shows that a dispute was raised before the ALC(C) Ranchi as to the categorisation and job description of drillers. It is stated that the view of the INCMWA is that all the operation of drilling under ground will be done only by two persons who will be driller in Cat. IV and therefore the management issued this letter for giving option by the drillers and drill mazdoors. The options were whether they agreed to drilling crew of two drillers of Cat. IV or whether they would like to continue the present system of having a crew one driller in Cat. IV and two mazdoors in Cat. II. MW-2 has stated that the drillers and drill mazdoors did not submit any reply to the said letter Ext. M-3. He has stated that when no reply was received MW-2 and the Manager had talked with the driller and the drill mazdoor about their option upon which they told that the existing system may continue. It is clear therefore that the management had given option to the drillers and drill mazdoors but they did not give any option and as such the drilling crew consisted as before. It has been agreed before me on behalf of the management that they are still ready to constitute a drilling crew of two drillers in Cat. IV provided they do all the jobs in connection with drilling or they may constitute a drilling crew of one driller of Cat. IV and two Mazdoors in Cat. II but in no case they would constitute a drilling crew of three persons including two drillers of Cat. IV and one mazdoor of Cat. II. The workmen cannot make out a case for constituting a drilling crew of two drillers in Cat. IV and a Mazdoor. They are demanding that there should be two drillers in Cat. IV in each drilling crew and the management has agreed to that provided all the jobs of the drilling are performed by those two drillers in Cat. IV. As the management has no objection to the placement of two drillers in Cat. IV in a drilling crew the management may constitute the drilling crew of two drillers in Cat. IV and they would have to do all the jobs relating to the drilling as this would give advantage to the drilling crew in as much as some of the drill mazdoors will be promoted and placed in Cat. IV who are found suitable for being promoted.

The union in the W.S. has demanded that 6 of the persons working in the drilling crew be placed in Cat. IV as driller. As stated by MW-2, it will appear that there are 14 drillers and 20 drill mazdoor working in Hindgir Colliery Ext. M-1 and M-2 are the two lists prepared by the management to show the number and names of the persons who are working as drillers and drill mazdoors. As there are 20 drill mazdoors working in Hindgir Colliery. It is for the management to decide as to who will be competent and qualified to work as drillers on promotion and the case of the union that the 6 persons named by the union in the W.S. be provided with Cat. IV as driller cannot be accepted. The management must have its hand in the promotion of persons from a lower category to higher category based on efficiency, training experience etc. and the said managerial function cannot be usurped by the Tribunal. Moreover, there is no reference to the fact whether the 6 persons named in the W.S. deserved to be promoted or not.

In the result I hold that the management of Hindgir Colliery of M/s. CCL should constitute a drilling crew of two drillers in Cat. IV who would be performing all the duties concerning drilling and they should promote deserving drilling mazdoor/misc. mazdoor as drillman in Cat. IV and those who are not found suitable for promotion to driller in Cat. IV should be engaged as General Mazdoor. Award is passed accordingly.

Dated : 10-3-1986.

I. N. SINHA, Presiding Officer
[No. L-24012/23/84-P. IV (B)]

का. आ. 1443 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व पारखलिया कोलियरी मैसर्स सैन्ट्रल कोलफील्ड्स लि. के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-3-86 को प्राप्त हुआ था।

S.O. 1443.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Parbelia Colliery of M/s. Eastern Coalfields Limited, Asansol and their workmen, which was received by the Central Government in the 17th March, 1986.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA**

Reference No. 49 of 1983

PARTIES :

Employers in relation to the management of Parbelia Colliery of M/s. Eastern Coalfields Ltd., Asansol.

AND

Their Workmen

PRESENT :

Shri Justice N. G. Chowdhury—Presiding Officer.

APPEARANCES :

On behalf of Employers—Shri B. N. Lala, Advocate.

On behalf of Workmen—Absent.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

Heard Shri B. N. Lala, Advocate, on behalf of the employers and pursued the Order of Reference made by the Government of India, Ministry of Labour and Rehabilitation (Dept. of Labour) under Order No. L-19012(10)/83-D.IV(B) dated 22nd August, 1983 which reads as follows :

“Whether the action of the management of Parbelia Colliery of M/s. Eastern Coalfields Limited, Asansol in refusing regular employment to Sudhir Hari and 18 others employed as casual sweepers in Ranipur Colliery and not paying them proper rates of wages is justified ? If not, to what relief the workmen are entitled and from what date ?”

2. The endrosements in the Order of Reference indicate that the dispute was raised in the instant case on behalf of the workmen by the general secretary, Janata Colliery Mazdoor Congress (HMS), Bengal Hotel, Md. Hussain Street, Asansol. Notice of the case sent under registered post was served on the said union on repeated occasions. The General Secretary does not appear. In the state of things recorded above it appears that the Union is no longer interested in pursuing the matter or that it has since been convinced that the action of the management of Parbelia Colliery of M/s. Eastern Coalfields Ltd, questioned in the disputes has every justification and for that reason they are not contesting the case. Accordingly in terms of Rule 22 of the Industrial Disputes (Central) Rules, 1957 the case is heard ex parte and the issue raised found in favour of the management i.e., the action of the management of Parbelia Colliery of M/s. Eastern Coalfields Limited in refusing regular employment to the workmen named in the schedule to the order of reference as casual sweepers and not paying them proper rates of wages are justified.

An Award be made and submitted for publication in the above terms.

Dated, Calcutta,

The 28th February, 1986.

N. G. CHOWDHURY, Presiding Officer

[No. L-19012/10/83-D. IV(B)]

का.आ. 1444 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारत कोकिंग कोल लिमिटेड की वैस्ट मुदीहीह

कोलयरी के प्रबंधन से सम्बन्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न. 2 के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 18-3-1986 का प्राप्त हुआ था।

S.O. 1444.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, in the industrial dispute between the employers in relation to the management of West Mudidih Colliery of M/s. Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 18th March, 1986.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD.**

PRESENT:

Shri I.N. Sinha, Presiding Officer.

Reference No. 32 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES:

Employers in relation to the management of West Mudidih Colliery of Messrs. Bharat Coking Coal Limited and their workmen.

APPEARANCES:

On behalf of the employers : Shri R. S. Murthy, Advocate.

On behalf of the workmen : Shri D. Mukherjee, Secretary Bihar Colliery Kamgar Union.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 11th March, 1986

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following disputes to this Tribunal for adjudication under their Order No. L-20012(371)/84-D. III(A), dated, the 29th March, 1985.

SCHEDULE

“Whether action of the management of West Mudidih Colliery of Messrs. Bharat Coking Coal Limited, Post Office Katragarh, District Dhanbad (Bihar) in terminating the services of Shri Mohan Mahali, a permanent Miner/Loader with effect from 3-9-1976 is justified? If not, to what relief the workman concerned is entitled?”

The case of the workmen is that the concerned workman Shri Mohan Mahani was working as a permanent Miner/Loader in West Mudidih Colliery of BCCL. The concerned workman started absenting from his duty from January, 1976 without any permission or sanction of leave from the management. After recovering from his illness he reported for duty but he was refused to resume his duty and his services were terminated with effect from 3-9-76. The concerned workman had rendered continuous service in the under ground as Miner/loader. He reported before the management for reinstatement with full back wages but the management did not accept his representation. Thereafter Bihar Colliery Kamgar Union raised an industrial dispute before the ALC(C), Dhanbad on behalf of the concerned workman. The conciliation before the ALC(C) ended in failure and thereafter the present reference was made to this Tribunal for adjudication. The action of the management in terminating the services of the concerned workman was illegal arbitrary and against the principles of natural justice. As per provisions of the Standing Orders the management has no legal right to terminate the services of the concerned workman for alleged unauthorised absence. The action of the management in terminating the services of the concerned workman without compliance with the

mandatory provisions of Section 25F of the I.D. Act, was illegal and void ab initio. The management neither gave any reason for termination of the services of the concerned workman nor paid any retrenchment compensation prior to the termination of his services. On the above facts it was prayed that the concerned workman be reinstated with full back wages.

The case of the management is that the dispute is over-stale and as such it is liable to be rejected. The concerned workman had raised no industrial dispute before the management before raising industrial dispute before the ALC(C), Dhanbad. The concerned workman who was working as a Miner/Loader in West Mudidih Colliery of the management started absents from duty from January, 1976 without permission or sanction of leave and without any satisfactory cause. He did not even send any information to the management in respect of his absence under the Standing Orders applicable to the concerned workman, continuous absence from duty by a workman for more than 10 days without permission and without satisfactory cause constitute misconduct for which a workman can be dismissed from service. The management waited for a very long time so that the concerned workman may resume his duties and when he did not turn up for a long time the management concluded that he was not interested in his employment. Besides that the concerned workman was also guilty of misconduct for unauthorised absence from duty. For the said reasons the concerned workman was dismissed from service by letter dated 3-9-76 issued to the concerned workman. Even after issuance of the letter of dismissal to the concerned workman no response was made by the concerned workman and the management learnt for the first time when it received a letter on 25-9-84 from the ALC(C), Dhanbad in respect of the industrial dispute raised by the Bihar Colliery Kamgar Union on behalf of the concerned workman. The concerned workman was not ill as stated by him and the said plea is false. This plea has been raised as an after thought. As the concerned workman was ill for a long time the provisions regarding retrenchment are not at all attracted. In view of the above the management was justified in terminating the services of the concerned workman and he is entitled to no relief.

The only question to be decided in this reference is whether the termination of the services of the concerned workman with effect from 3-9-76 was justified.

The management have examined two witnesses and the workmen have examined one witness in support of the case of the respective parties. The documents filed on behalf of the management have been marked as Ext. M-1 to M-4 and the documents filed on behalf of the workman are marked Ext. W1 to W-3.

It is admitted case of the parties that the concerned workman had absented from duty from January, 1976 without any permission or sanctioned leave till the date of his dismissal from service. It will thus appear that the concerned workman had absented for about 9 months continuously prior to his dismissal without any permission or information to the management. WW-1 is the concerned workman Mohan Mahali himself. He has stated that from January, 1976 he had absented without taking leave from the management and that he had fallen ill and as such he had absented from duty. MW-1 who is working as P.O.'s Clerk of the Personnel department has stated that the concerned workman was absented from duty from the last week of December, 1975 and that the concerned workman had not applied for leave and had not intimated to the management regarding his absence. He has stated that the services of the concerned workman was terminated vide Ext. W-1. MW-2 has also stated that the concerned workman had not given any information about his absence and that thereafter his case was submitted to the General Manager of the area who directed that the services of the concerned workman be terminated. In his cross-examination MW-2 who is the Supdt. of Mines has stated that absented without notice or permission is a misconduct in the Standing Orders of the colliery. He did not issue any chargesheet against the concerned workman and he had also not issued any warning letter to the concerned workman. It appears that no letter was issued to the management asking the concerned workman to report for duty before terminating his services. Had there been any such letter the management must have pro-

duced it. MW-2 was also not sure if any enquiry was made regarding the reasons of the absence of the concerned workman. The above evidence thereof shows that a long absence of the concerned workman from service was a misconduct for which a departmental enquiry had to be made after chargesheeting the concerned workman for the same. It is also apparent that no chargesheet was submitted against the concerned workman for the alleged misconduct and that no departmental enquiry had been held before dismissing the concerned workman from service. It is clear therefore that the dismissal of the concerned workman for the alleged misconduct without holding any departmental enquiry is not justified.

It is submitted on behalf of the workman that the termination of the services of the concerned workman is retrenchment of his service and as the conditions of Section 25F of the I.D. Act had not been complied with, the services of the concerned workman is illegal. Section 25F provides that no workman employed in any industry who has been in continuous service for not less than one year under any employer shall be retrenched by the employer until the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired or the workman has been paid in lieu of such notice, wages for the period of notice and the workman has to be paid at the time of retrenchment compensation equivalent of 15 days average pay for every completed year of continuous service and further notice to that effect in prescribed form is served on the appropriate Govt. It is stated by the concerned workman that he was a permanent miner/loader of the management. MW-1 has stated that the concerned workman was working as underground miner/loader. MW-1 has exhibited and proved Bonus Register which shows that the concerned workman had attendance of 192 days in 1975 and 202 days in 1974. Section 25B of the I.D. Act defines continuous service. It will appear from the said section that if an underground workman completes 190 days attendance in a year prior to his dismissal, he will be deemed to have completed continuous service of one year. The evidence of the management witness and the documents itself shows that the concerned workman had completed one year of continuous service in 1974 and 1975. Admittedly, the concerned workman had not been given one month's notice in writing indicating the reasons for retrenchment or in lieu thereof one month's notice pay. He has also not been paid any retrenchment compensation as provided under Section 25F of the I.D. Act. On reading of the evidence it appears that the management never treated the case of the concerned workman as a case of retrenchment and as such it had not complied with the conditions which are required to be fulfilled under Section 25F of the I.D. Act.

Section 2(cc) of the I.D. Act defines retrenchment which means the termination by the employer of the services of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action. Admittedly his services had not been dispensed with as a punishment inflicted by way of disciplinary action. The three other exceptions of termination of services not counted as retrenchment as provided under Section 2(cc) of the I.D. Act are (a) Voluntary retirement of the workman, (b) retirement of the workman on reaching the age of superannuation and (c) termination of the services on the ground of continued ill health. The two of the exceptions namely (a) and (b) are not applicable in the case of the concerned workman.

The management has submitted that the termination of the services of the concerned workman has been made on the ground of his continued ill health which is an exception to the meaning of the retrenchment and as such the case of the concerned workman is not a retrenchment. In order to appreciate the argument made on behalf of the management I think it would be better to look to Ext. W-1 which is the letter of termination of the services of the concerned workman disclosing the reasons for his termination. It will appear from Ext. W-1 that the concerned workman had absented without taking leave or any permission since January, 1976. It is further stated that the concerned workman did not give any satisfactory reason for his absence to the management and as such it appears that the concerned workman was not eager to continue on his job and as such his services were being terminated. It is not even mentioned in Ext. W-1 that the concerned workman was absented for a very long time on the ground of continued ill health and as such his services were being terminated. On the contrary the case of the management in their written statement is

that the concerned workman was not sick. It is apparent therefore that the services of the concerned workman were not terminated on the ground of continued ill health and there is no such reason given in the letter of the termination of his services. Accordingly I hold that the management has not terminated the services of the concerned workman on the ground of his continued ill health. Further I think that the management in order to terminate the services of the concerned workman under clause (c) of Section 2(OO) have to establish that the concerned workman was on continued ill health and for that some medical evidence or evidence like that had to be adduced on behalf of the management. In my opinion this ground taken at the last stage is not well founded and I hold that the services of the concerned workman have not been terminated on the ground of his continued ill health.

From the discussions made above it will appear that although the alleged allegations against the concerned workman was of misconduct for absents without leave for a long period, no domestic enquiry was held against the concerned workman inflicting punishment by way of disciplinary action and as such the termination of the services of the concerned workman is not covered under the exception of retrenchment. It will further appear that the termination of services of the concerned workman on the ground of continued ill health was not the reason for which the services of the concerned workman were terminated. In view of the above I hold that the termination of the services of the concerned workman is a clear case of retrenchment of his services and as the conditions of Section 25F of the I.D. Act have not been complied with for retrenching the concerned workman from service, the termination of the services of the concerned workman is illegal and void. It is submitted on behalf of the management that the dispute is over stale and as such it is liable to be rejected. It is true that the industrial dispute has been raised in this case after a long delay and there is no document or evidence to show that the concerned workman was making representation before the management from the time of his dismissal from service and before the present industrial dispute was raised by the union on 2-5-84 vide Ext. M-1. The workman have filed a letter addressed to the Agent West Muddih Colliery by the concerned workman and it appears that it was received in the office of the management on 19-6-84. There is no other paper to show that the concerned workman of the union on his behalf had made representation before the management for the reinstatement of the concerned workman. Thus it will appear from Ext. M-1 and W-2 that there is paper to show that efforts were made for the reinstatement of the concerned workman from 2-5-84 vide Ext. M-1. WW-1 has no doubt, stated that when he recovered from his illness he went to colliery to resume his duty and was told to go back and come after gaining some strength and that after a few days he again went and reported to the colliery but was given a letter of termination. He has also tried to show that he had met the authorities for his reinstatement but from his evidence in the cross-examination it will appear that the said fact cannot be accepted as he does not even know the name of the officer to whom he had gone requesting to resume his duties. Admittedly the concerned workman is illiterate and we cannot expect from him that he would be knowing the rules and procedure of the management as to how leave is taken or how one has to resume his duty after leave. I have discussed this evidence only with a purpose to show that there is no reliable evidence to show that the concerned workman had approached the management after getting the letter of dismissal praying for his reinstatement. But the fact remains that the termination of the services of the concerned workman was illegal and void ab initio which means that his services were not terminated and he continued in the job and as such there is no question of his reinstatement in service. As the concerned workman did not report for his duty prior to the raising of the industrial dispute by the union, the concerned workman does not appear to be justified in getting his back wages and in my opinion the concerned workman has to be satisfied with the continuity of his service without back wages. However he would be entitled to his back wages from the time the industrial dispute was raised by the union on his behalf on 2-5-84.

In the result, I hold that the action of the management of West Muddih Colliery of M/s. B.C.C. Ltd. in terminating the services of the concerned workman Shri Mohan Mahali a permanent Miner/Loader with effect from 3-9-76 is not

justified. The concerned workman will be deemed to continue in his service. I further hold that the concerned workman will be deemed to continue in his service and that his services were not terminated or dismissed vide Ext. W-1. The concerned workman, however, will not be entitled to the back wages from the date of his dismissal from service till the date when the industrial dispute was raised by the union on his behalf but the management must pay the back wages of the concerned workman from 2-5-1984 which is the date when an industrial dispute was raised by the union on behalf of the concerned workman before the ALC(C). Dhanbad.

This is my Award.

I.N. SINHA, Presiding Officer
[No. L-20012/371/84-D, III (A)]

Dt. 11-3-86

नई दिल्ली, १ अप्रैल, १९८६

का. आ. १४४५.—औद्योगिक विवाद अधिनियम, १९४७ (१९४७ का १४) की धारा १७ के अन्वय में, केन्द्रीय सरकार व जे. के. रोपवेज मैजर्स इस्टर्न कोलफील्ड्स लि. के प्रबन्धन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता की पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को ७-३-१९८६ को प्राप्त हुआ था।

New Delhi, the 1st April, 1986

S.O. 1445.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of J.K. Ropeways of M/s. Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 7th March, 1986.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 16 of 1983

PARTIES :

Employers in relation to the management of J.K. Ropeways of Eastern Coalfields Ltd., P.O. Kajoragram, Dist. Burdwan.

AND

Their Workmen

PRESENT :

Shri Justice N. G. Chowdhury—Presiding Officer.

APPEARANCES :

On behalf of Employers—Shri N. Das, Advocate with Shri N. Ganguly, Advocate and Shri G. M. Singh, Deputy Personnel Manager.

On behalf of Workmen—Absent.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD :

Heard Shri N. Das, Advocate on behalf of the employer and perused the Order of Reference made by the Government of India, Ministry of Labour and Rehabilitation (Department of Labour) vide Order No. L-19012(150)/82-D.IV(B) dated 17th February, 1983. The dispute as formulated in the Schedule to the Order of reference reads as follows :

"Whether the action of the management of J.K. Ropeways of Eastern Coalfields Limited, Post Office

Kajoragram (Burdwan) in designating Shri Prafulla Pal as Turner cat. VI and fixing him in Tech. Gr.G. scale of NCWA-II w.e.f 13-8-80 was justified? If not, to what relief is the concerned workman entitled?"

2. After having put in a Written Statement the Secretary of the Colliery Mazdoor Sabha of India, Sishubagan, P.O. Raniganj, District Burdwan, who had raised the dispute does not appear. It appears that notice of hearing of the case today was sent to the Secretary by registered post and he received the notice on 6-2-1986 after putting his signature on acknowledgement. In the circumstances aforesaid the conclusion is inescapable that the Union is no longer interested in pursuing the dispute. Presumably they have been satisfied that

there is no merit in the dispute raised. In the circumstance the dispute formulated is found in favour of the management of J.K. Ropeways of Eastern Coalfields Limited. P.O. Kajoragram, District Burdwan in designating Shri Prafulla Pal as Turner Category VI and fixing him in Technical Grade 'C' with effect from 13-8-1980 was perfectly justified.

An Award be made and submitted for publication ex parte.

Dated Calcutta,

The 28th February, 1986.

N. G. CHOWDHURY, Presiding Officer.

[L-19012(150)/82-D.IV(B)]

MADAN MOHAN, Under Secy.